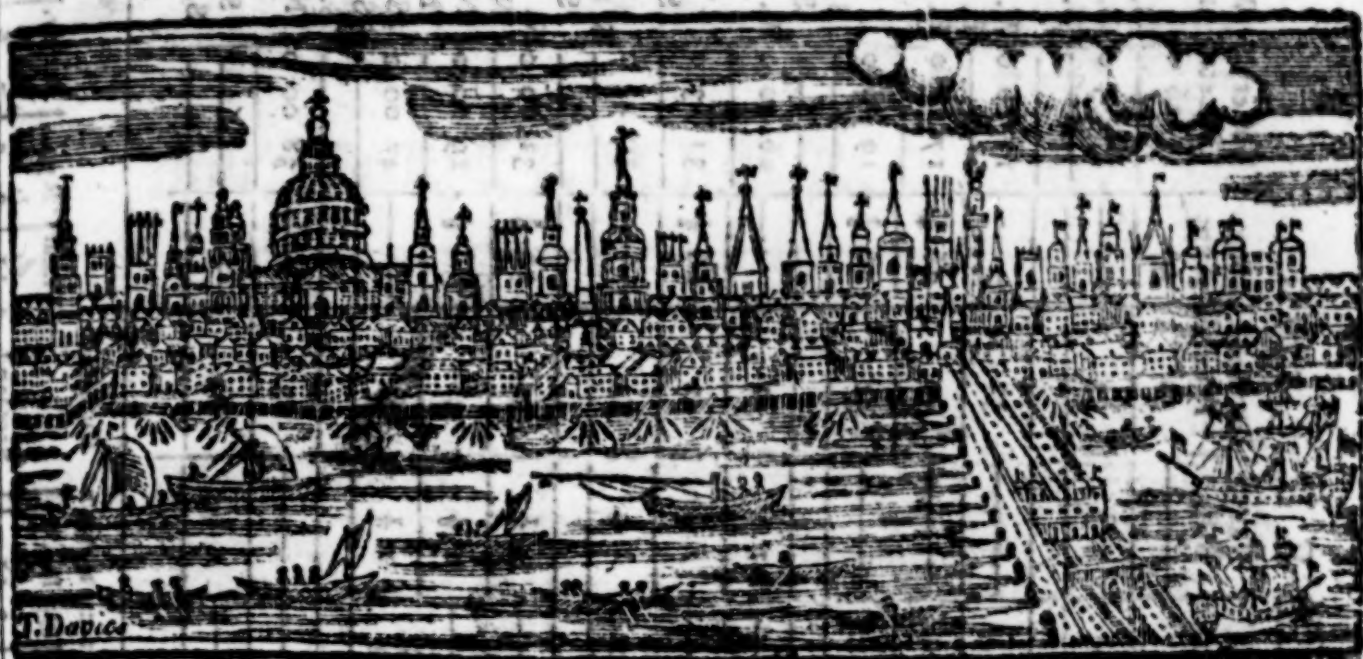


The LONDON MAGAZINE:



Or, GENTLEMAN'S *Monthly Intelligencer*;

For DECEMBER, 1771.

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1. Elegant Engravings of the Duke and Duchess of CUMBERLAND.
2. An historical Print exhibiting the late ill Treatment of the ENGLISH by the SPANIARDS at CARTHAGENA.
3. A humourous Cut of MUNGO and his Mistress bewailing their late Misfortune; and
4. No. III. of New Musick.

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PRICES of STOCKS, &c. in DECEMBER, 1771:

Bank Stock	India Stock	Sou. Sea. Stock	Old S. Ann.	New S.S. Ann.	3 per C. reduced	3 per C. confol.	3 1/2 per C. 1756.	3 1/2 per C. 1758.	4 per C. confol.	India Ann.	Navy. Bills.	In. Bond. Prch.	Long. Ann.	Lottery Tickets	Wind at Deal	Weather London
143 Sunday	217 1/2		84 1/2		85 1/2	86 1/2		89 1/2	93 1/2	83	1 1/2	52	26	15 16 0	S. W.	Fair
147 1/2	218		84 1/2		85 1/2	87			93 1/2	83 1/2		53		17 5 0	S. W.	Fair
148	219 1/2		84 1/2		85 1/2	87			93 1/2	83		52		17 16 0	S. W.	Foggy
148 1/2 Sunday			84 1/2		85 1/2	87 1/2		89 1/2	93 1/2	83 1/2	1 1/2	50	26 1/2	17 16 0	S. E.	Rain
149	222		84 1/2		86	87 1/2			94			51	26 1/2	19 8 0	S. W.	Damp
149			84 1/2		85 1/2			90 1/2	93 1/2		1 1/2	52	26 1/2	31 13 0	S. W.	Frost
150 1/2 Sunday			85		86 1/2	87 1/2		90 1/2	94 1/2	83 1/2	1 1/2	53		30 15 0	S. S. W.	Rain
150 1/2			85		86 1/2	87 1/2			94 1/2	83	1 1/2	52	26 1/2	32 00 0	N. N. W.	Frost
	222 1/2		85 1/2		86 1/2	87 1/2			94 1/2	83 1/2	1 1/2	52	26 1/2	29 10 0	N. W.	Rain
149 1/2 Sunday	223		85 1/2		86 1/2	87 1/2			94 1/2	83 1/2	1 1/2	52		42 00 0	S. W.	Rain
150			85 1/2		86 1/2				94 1/2			53		38 00 0	N. W.	Frost
150 1/2			85 1/2		86 1/2	87 1/2			94 1/2		1 1/2	53			S. W.	Rain

AVERAGE PRICES of GRAIN, by the Standard Winchester Bushel,

Wheat.		Rye.		Barley.		Oats.		Beans.	
s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
5	7	5	7	3	0	4	7	2	6
North Wales									
4	11	1	3	3	11	4	7	3	6
Scotland									
4	11	1	3	2	6	2	3	3	6

THE LONDON MAGAZINE:

For DECEMBER, 1771.

THE HISTORY OF GALLANTRY.

OR,

MEMOIRS of Squire MORGAN and his SPOUSE.



LEWIS the XIV. in conversing with a foreign ambassador asked him what mistress his sovereign had. The king, my master, replied the ambassador, fearing God and reverencing his law, has no mistress but his Queen. Lewis, after staring and hesitating a little at such an uncourtly answer rejoined with a sneer, what then! has not your king virtues enough to cover one vice? Squire Morgan's friends would have us apply this question to him, and consider their answer, which is in the affirmative, as a sufficient apology for his conduct. But, though the word of princes be sacred, I believe the matter would with most people remain very problematical, were he in this particular to take even his bible oath. Well but, say they, he has now atoned for all his follies by entering into the holy bands of matrimony, and by resolving to remain attached to one virtuous and beautiful woman. Beauty we will grant her. Though her complexion be not the very fairest, she makes amends for it by a tall, majestic and graceful figure. Her well turned neck is adorned by shining jetty tresses worthy of Mahomet's Fatima; and none knows better than she how to roll a languishing eye that might stir an anchorite. But is this fair mansion inhabited by a suitable tenant? Has she virtue? That is the question. In this sceptical age some will not allow that the sins of the fathers are visited upon the children even unto the first generation, much less to the third and fourth. They will contend that even the family of _____ may produce one virtuous person, and that a

small remnant may be saved from the contagion of the father. What though this house from its first origin teemed with examples of corruption and debauchery? What though its present head decoyed his bosom friend into a marriage with his mistress, and having sent him upon an April fool's errand consummated in the interval with his bride? It does not follow that the daughter, who from her charms was most subject to temptation, might not have remained as chaste as a vestal. Her veins might perhaps contain not a drop of that blood, which warmed those of her father, her brother and sister. *They may be prime as goats, as hot as monkeys, as salt as wolves in pride, and she cold as the icicle that hangs on Dian's temple.*

All these things may be, because it has not yet been demonstrated that miracles have ceased. But our business is not with mere possibilities or miracles, but with facts. Squire Morgan's lady was never addicted to low amours. She neither diverted herself with the butler in the cellar nor with the postilion in the stable. Her mind soared above the vulgar enjoyments of a Finch or Ligonier; because she did not despair of finding men among people of superiour rank. Far, however, from being a moping, cooing dove, that piqued herself upon a faithful attachment to a single object, she was ever on the wing fluttering from flower to flower like the butterfly. It cannot be supposed that a creature of such gaudy plumes should not attract the attention of some young natural philosopher, and tempt him to catch it for the ornament of his cabinet of curiosities. In fact multitudes were in pursuit of our coquet.

Dec. 1771.

The first dangerous impression upon her heart, is said to have been made by one whom we shall call Mr. —. He wrote her many tender billet-doux, which she did not vouchsafe to answer, thinking them the effects of that levity and capriciousness so common to young men of fortune. Having never spoke to him, she imagined his protestations to be of a piece with those which she received in love-letters every day, mere compliments, which meant nothing but common gallantry. When she looked upon any of her admirers as worthy of notice, it was her custom, if she imagined one of them to be but little acquainted with her, to appoint a meeting at her father's house, to have him introduced to her maid dressed up in her cloaths, to hear the vows and protestations which he made to her proxy, and in the midst of this tender scene to burst out of the adjacent room, and to confound his ignorance and impudence. The unfortunate adventurers, however, generally consoled themselves with the maid, whom they took into keeping. This trick was played upon Mr. — without effect. Where is the angel your mistress? He opened the room where she listened, and said, Your image, my fair, is too deeply imprinted on my heart to be thus deceived; instead of a diamond, would you, with the conscience of a Jew, palm upon me a Bristol stone? No, no; I know sterling coin too well to be thus put off with counters.

This adventure gave her no unfavourable idea of her admirer. As she had often done before, she put on the garb of a man, walked into the park, and entered into conversation with several of those who had professed a passion for her; none of them knew her, or discovered that fund of wit and understanding, much less that ardour of love which she expected from their letters; she was disgusted. At length, in one of these excursions she sat down on a bench in the park. Mr. — having sauntered out a little before dinner for the air, came along the Mall, and seeming not to know her, took a seat by her side; like other young people, they made observations on the ladies that passed; but in the opinion of Mr. —, none of them,

or indeed in the nation, was comparable to Miss —; she was the standard of beauty; I think she resembles you, who seem too beautiful for a man; she is indeed the taller of the two; one would swear that you are her brother; tell me, are you no relation to the divine creature? "A cousin, sir," said she, blushing. By Heaven, I am heartily glad of it; I would not have lost this opportunity of being happy in your acquaintance. Come, said he, grasping her hand, and going, till checked by a second thought, to kiss it, come, we shall dine and drink a bottle together to day to our better acquaintance. Excuses were in vain. Partly by force, partly by intreaty, partly through shame and the fear of being remarked, she allowed him to take hold of her arm, and to conduct her out of the Park. At Spring Gardens he called for chairs, and whispered the men to convey them to a certain bagnio. There they dined; and after having slipped some inflaming ingredients into her glass, he took hold of her hand, kissed it, and declared, that from the first sight he had been no stranger to her person, no disguise being sufficient to conceal from him such uncommon beauty. After the preparative artifice which he used, the progress of the affair is easily conceived. Here she received the first lesson in the school of Venus.

Being thus initiated in the Cyprian mysteries, she soon became a great proficient. Fame is a liar, if she did not sacrifice to the Mother of Desire with various votaries; and if her first marriage was not contracted solely with a view of making her an honest woman. Observing Mr. H—n to be a man of show and gaiety, and not scrupulously nice in his ideas of female virtue, she thought wedlock would, instead of being a restraint, prove a convenient cloak to her pleasures. She was not deceived. He did not imitate the Hesperian dragon, and guard his treasure with sleepless eyes: Candales, king of Lydia, was the pattern that he followed; not that he showed his spouse naked to any favourite Gyges; he only attended her to all publick places, and seemed delighted with the homage that was paid to her charms

** We hope our correspondent will not take it amiss that we did not set down the game at length.*

by coxcombs. Her gratitude kept pace with his complaisance; she preserved the appearances of a good wife; if he was indisposed, she would not stir abroad, but dressed for sickness, and for show would receive her gallants at home: on these occasions they have had many *hair-breadth 'scapes in the deadly imminent breach*, which, for fear of being tedious, we shall not relate. At length Brentford happily freed her from every controul. Cornuto accompanied her brother to the famous election; he received a blow on his head, caught a lingering fever, and died at a lucky time, considering her extravagance.

Behold her now a young, but experienced widow: having squeezed out a few tears—of joy for the provision left her by her dear husband, and having for a decent time worn mourning, and kept her card parties at home, she ventured once more into the great world. Accompanied by Miss her sister, she repaired to Brighthelmstone, for the re-establishment of her health. Here she behaved with her usual coquetry, and acted as if she had a stomach for all the coxcombs in the place. While her sister toyed, and trifled, and skipped, and danced, and chattered in the public walks with Squire Morgan, so as to make the whole company at the waters cry shame upon her, she had a constant succession of favourites, one in the morning, another at night; and happy was the man that reigned for the day. Squire Morgan had begun his addresses; but, as she has been often heard to say, that he, who will do for a husband, will not do for a gallant, she kept him at a distance, and inflamed his impatience by the difficulty of approach. By the assistance of relations her inveigling arts betrayed him into her net, and he has, by his indiscretion, confirmed the general maxim, that debauchees only add to their infamy by marriage, as they commonly fall a prey to treachery and lewdness. He is not, however, without consolation. When he turns his back she winks to her favourites, and erects two of her fingers on her forehead in the form of a pair of antlers. The reader will, without our assistance, easily conceive her meaning.

[To be continued.]

On the iniquitous Delays of the Court of Chancery.

HAVING lately read Baron Bielfeld's Letters, I could not but take particular notice of the following passage, Vol. II. p. 58, 59.—“ I have here begun and ended a law-suit concerning a dispute my wife and sister-in-law have had with some distant relations for these twenty years past about some possessions, which, when the matter came to be strictly examined, they had not the least claim to. In short, after obtaining nine successive decrees, all of the same tenor, and all in our favour, we are put in possession of the valuable estates of Treben and Hasselbace.” To this the editor subjoins this marginal note. “ Baron Bielfeld was certainly very happy to obtain nine decrees in *one* summer. In some countries he might have been nineteen years in obtaining them, and not have got possession of his estates after all. And this was formerly the case in Prussia, but Frederick, by one supreme fiat has decreed, that all causes shall be liquidated within the course of a year; and by thus subduing the intestine enemies of his people, has proved himself to be their rightful father; and has laid up for himself unspeakable satisfaction in those most important moments, when his victories, his conquests, his triumphs shall pass before his sight like the images of a gay dream.”

As pertinent to the subject, I beg leave to add here the following anecdote from your Mag. for October, 1766. “ Juvenalis, a widow, complained unto Theodoric, king of the Romans, that a suit of hers in court was drawn out for the space of three years, which ought to have been determined in a few days. The king, being informed who were her judges, sent to, and commanded them to give all expedition possible to the poor woman's cause; which they did, and in two days ended it to her satisfaction; which done, Theodoric called them again. They supposing it had been to applaud their justice, obeyed the summons with joy. Being come before the king, his majesty asked them, how it came to pass, that they had performed that in two days, which had not been done in three years? These iniquitous

iniquitous judges answered; "The recommendation of your majesty."—
 "How! replied the king, when I put you into office, did I not consign all pleas and proceedings to you? You deserve death, so to have spun out a business to three years, which might have been determined in three days: and at that instant commanded their heads to be struck off."

Is it possible for the reader of the above quotations not to think of a certain country, in which a court is established, bearing the name of EQUITY? How fitly so called, the impartial, the wise, and good will judge. Did it really deserve that name, would innocent people be terrified, as they generally are, when threatened with a bill in EQUITY? or would those who are injured and oppressed, be so backward to petition the said court for relief? The avowed design of it, indeed, is to moderate the rigour of the other courts, that are tied to the strict letter of the law; to soften the severity of the common law, and rescue men from oppression, &c. But is this benevolent intention generally answered? or doth not experience often prove, that *the remedy is worse than the disease*? and are not those, who are best acquainted with the dilatory proceedings of this court, erected for the *redress of grievances*, ready to declare, that it is itself one of the *greatest grievances* which a nation can groan under? can the m—rs in ch—y with the numerous tribe of att—ys, cl—ks, sub-cl—ks, &c. that make it their business to raise estates on the ruins of their neighbours, and to fill their own pockets by emptying *theirs*, who apply to them in their distress—can such, I say, be justly and truly considered as useful members of the community? can they, who instead of granting *speedy* relief to injured widows and orphans, add to their oppressions from year to year by tedious delays and treacherous neglects to finish the affair with which they are intrusted; thus increasing their exorbitant expences, and impoverishing, while they pretend to assist them? can *they* be looked upon as laudably employed? or can that constitution be applauded as wise and good, and not to be *altered*, which not only allows, but authorizes such a conduct? or

must not an alteration appear to the *considerate* and *compassionate* most requisite and necessary, and an imitation of the illustrious Prussian monarch above-mentioned (which is in the power of the *legislature* in every country) greatly desirable and highly honourable? or can those deserve the name of MEN and CHRISTIANS who are determined to oppose it? is not the continued establishment of such *iniquity* under the character of EQUITY an insult on common sense, and a visible standing reproach to *any people*, which it infinitely concerns them to wipe away? or can any objection, founded on the difficulty and danger of changing fixed ancient customs, be thought of sufficient weight in this case, when it is considered, that the laws of righteousness are eternally and immutably obligatory; but not those of merely human institution? doth antiquity make any usage *equitable*? or ought an apprehended opposition from the self-interested, the ungenerous, the cruel, to discourage those who are able, and whose immediate concern it is to put an end to such *works of iniquity*? can the nature of unjustifiable practices be altered by a plea of prescription, or *that* rendered *fit and right*, against which, both natural and revealed religion loudly remonstrate? Let the agents in such a c—t, from the highest to the lowest, lay their hands on their heart and ask—"Am I now acting agreeably to our Saviour's admirable rule: *Whatsoever ye would that men should do unto you, &c.*? I am not, indeed, transgressing the laws of my country, nor doing any thing but what my predecessors have done; but am I doing what my conscience tells me is right and ought to be done? and should I desire no better treatment if the petitioner were in my place and circumstances, and I in his? Did the barbarous Jews reason well, when thirsting for our Saviour's blood, they cried out, *we have a law, &c.* did that lessen their guilt? can any law, enacted by human authority, make *that* warrantable which is evidently the reverse, and a plain violation of the law of God? God who *both appointed a day wherein he will judge the world in righteousness* by his own SON, before whose TRIBUNAL all must appear, the oppressors and the oppressed;

oppressed; and all stand on an EQUAL foot, and be judged without respect of persons; when those who instead of relieving and comforting their distressed brethren, have made it their business to increase their distresses, shall be doomed to everlasting punishment with the devil and his angels, agreeably to the representation which the JUDGE himself hath made of the transactions of that GREAT and AWFUL DAY, when HE will impartially render to every one according to his works, and the EQUITY of his procedure will be universally acknowledged?—Shall I not keep that important day in view, and be ever solicitous to regulate my conduct by the precepts of my sovereign judge?—God grant I may.”

PHILANTHROPOS.

A remarkable Story of the little Emulation prevailing among the Marine Officers of France.

I Was the other day in company with a French officer, when he related without seeming ashamed of it, that a frigate of thirty guns, which he commanded, and with which he was conveying a large ship in the American seas, was taken by one of our sloops of war. On my expressing my amazement at it, he replied without being disconcerted, that “his frigate was so loaded with merchandise enforced in England that it was impossible for him to work his guns.” Ah! sir, said I, were you not tempted on seeing the enemies colours to clear your deck? “No in truth, he ingenuously answered; My lading was on account of persons who would have ruined me, if I had lost it: instead of which, by showing them how much I had exposed myself in every respect in order to preserve it, they allowed themselves obliged to me, and that the ministry ought to advance me. Thus I gained one step.” *O tempora! O mores!* I have been assured that the regulation of the marine under Lewis XIV. required that the commander of a king's ship should have on board nothing but arms and ammunition, and that he should not give up his ship but with life. I think the ordinance too severe; and to its extreme severity I impute its not being executed. It is the fate of regulations of this kind to hold but

during the first fire of enthusiasm. We find in those of the land service that the governour of a fortified place is bound at the hazard of his honour and life not to capitulate till the third assault on the body of the place. There have been many sieges in this country, but none in which this regulation was observed. It is necessary to reconcile prudence and humanity with bravery, otherwise the latter is nothing but ferocity. Lewis XIV. if he intended to adhere to his regulations, should have composed his garrison of madmen or desperadoes.

To the EDITOR of the LONDON MAGAZINE.

Some Hint for reducing the Price of Provisions.

S I R,

YOU lately gave us in your useful Magazine, a large extract of a performance, tending to prove how much preferable manufactories are to agriculture; but they ought to go hand in hand, otherwise the high price paid for the necessaries of life, will soon drive out every sort of manufactory, as well as all other arts. I well know the working hand lays the decay of trade to the too great profit charged by merchants, &c. that they may flaunt in coaches to their country villas, till some cross accident stops them short with a “Whereas in the Gazette”—In answer to this, it is well known, the working hand that can earn 9s. or 10s. in three or four days, will not work more, but spend what they earn by idling the rest of the week, and in forming clubs and combinations to keep up the price of work. A medium price of provisions in every respect is best; but why every thing is now a fourth dearer than a few years ago, is surprizing, as corn and grass have been good and plentiful almost every where; and the chief thing wanted to be known is, where the cause lies; whether the evil proceeds from throwing small farms into large ones, from engrossing, &c. or from the consumption of London and other largely-improved towns being too great for what the country can produce. It certainly may be known by the excise how much the increased demand for malt has been, and I pre-

sume

some some method may be hit upon to know with certainty the slaughter weekly of all sorts of live creatures. This will soon point out where the fault lies; and if the consumption is found too great for the produce, then some way should be found out to profit by our insular situation, so that fish might come cheap to the poor as well as others. I once saw a good hint to render fish cheap, as well as to prevent smuggling, by appointing a number of small vessels to attend to both businesses, in which a certain number of idle vagrants and thieves and pick-pockets should be obliged to work, as in a bridewell, without wages or other gratuity but bread and water; or otherwise, according to their good behaviour, to be allowed accordingly; and that every custom-house have a certain number of such craft under their management, both as to catching, and disposing of the fish when caught.

Some will have it, that the great quantities of wheat and wheat-flour sent to Ireland, and from thence to other places, is one cause that the price is so high in those articles, at the same time that the large engrossing farmers have their stack-yards and barns full of unthrashed corn, but will not touch a sheaf, if the price is under 24 or 25s. *per combe*, nor sell a pint of butter for less than 11 or 12, and in both cases, the price is expected to be higher; as their will is their law, and whatever price they please to ask must be submitted to, as the farms are got into so few hands, and farmers of late grown so rich, that in many instances they figure away, and live above their landlords. If some method cannot be hit on to alter the prices, either by fixing the price of a combe of wheat at 20s. barley at 10s. peas and beans at 12s. and oats at 8s. a pound of butter at 6d. and the best beef, mutton, veal, pork, and best cheese at 4d. a pound, with a penalty on those that either ask or take more; perhaps what is very much threatened, and in some places has been put in practice, will very soon become too general. Every degree of persons, now suffer greatly, except the rich farmers, by the great poor rates every where settled; for this obliges trades-

men to exact more profit, and charge more for what they make or deal in; the land owner will do the same in the advance of his rent, as new leases are to be granted; so that in a little while how can it be expected our manufactures will find any vent in foreign markets? or that great numbers of the working people will not be forced into other countries for the sake of bread and employment.

There lately have appeared in the papers heads of a new game act, but it gives too much liberty to such farmers as are followed by two or three grey-hounds, and two or three finders; as the small farmer or owners must not pretend to find fault with them, whether they conform to the act or not, because in every parish two or three such farmers, wholly govern and direct all parish business. If by such an act it is intended game should be brought to market for sale by such persons as could catch it on their premises (and no where else) then no other persons, except the landlord, or lord of the manor, should presume to course, or otherwise kill game, or take birds, under the penalty of 20s. on proof thereof before two justices of the peace, as having a power to warn poachers or others off, as allowed by the intended act, will do no good at all.

Nov. 1771.

N—CH.

A Story of Lewis the XI's Scullion.

THIS boy being met in the kitchen by Lewis, whom he affected not to know, was asked by the king, "How much do you earn?" "As much as the king. I earn my expences, and what can he do more?"

A short and picturesque Character of Count Broglio the Marshal's younger Brother.

COUNT Broglio will appear to you a very great man, if you measure him by the standard of Cardinal de Richlieu. They apply to him what was said in the last reign of the marquis of Feuquieres, who has left us some memoirs on war, to wit, that he was the most intrepid officer in the service, since he always slept in camp among fifty or sixty thousand enemies.

DEBATES

DEBATES OF A POLITICAL CLUB.

Sir Gilbert Elliot having ended his Speech against the Motion (see p. 537.) Mr. Serjeant Glynn made the following Reply.

THE honourable gentleman, who spoke last, has found out a precedent for the doctrines which I arraign; and he triumphs greatly in his discovery. But let him not be too hasty in crying out victory. The battle is not yet gained; nor the rout so total as he imagines. For where has he found his precedent? In the *state trials*, which I deny to be any authority. For, how, or where, or when, should these volumes acquire the stamp of authenticity? Who composed them? Who vouched the facts? Was any lawyer, or even lawyer's clerk, concerned? Or did they come out under the inspection of the court? None of these things appear. How then can such a foundling, such a brat, that has neither father nor mother, but owes its existence to a thousand nameless and obscure scribes, pretend to any credit? In short, I totally reject the authority of the *state trials*. These are of no weight, and give no sanction to any doctrine in law. And were I even to suppose them for a moment authentick, yet would it appear, from the account which they give of Franklin's trial, that the doctrine of libels, was not then universally received. Mr. Boodle, and the rest of the council for the defendant did not acquiesce, nor was the judge himself very consistent in his language. What reason then is there for pretending that the bar unanimously assented, and that there never were any doubts or surmises concerning the illegality of these tenets? On the contrary, I believe there always were, and there always will be, doubts, and even violent prejudices against them; and the sooner they are condemned, the better for this nation. They will never incorporate or enter into a friendly union with the other component parts of our constitution, because they are diametrically opposite to its genius and spirit. But, says the right honourable gentleman, why do I not move in arrest of judgment, and take the proper steps for bringing before other tribunals the causes which I thought determined contrary to law and the constitution? Because it was not in my power, because none of them were brought to an issue, because no verdict had been obtained. These circumstances rendered such a step impossible. However, as I intended this motion for the improvement of the constitution, I am obliged to the honourable gentleman for coming a little closer to the point, and for openly avowing those doctrines which are laid to the charge of Lord Mansfield. He says he has his intelligence from the best authority. What more do we want? The opinions are avowed, and yet accused of illegality. It is incumbent, therefore, on the opposers of the motion to justify these opinions, and to shew their conformity to law. I am henceforward relieved from the necessity of producing witnesses to prove the fact, and no shuffler will have the effrontery to evade my motion, by declaiming against it as vague and undetermined. We have now a fixed and permanent object before us, and we may proceed in the debate, as if one half of the enquiry was made. The conduct of the gentleman who brought the affair into this situation is certainly more manly in itself, and more friendly to the judge than the subterfuges of those who kept so cautiously aloof from the question, and acted as if they had been afraid to look it in the face. I congratulate myself on having succeeded so well, on having brought the enquiry to the present stage of its progress. The point is now fairly before you. Look you to it. For it is no less your concern than that of your constituents, every man being interested in the preservation and due administration of the laws. As far as my poor abilities would carry me, I have gone. I have given you my opinion, and the reasons on which my opinion is founded, at greater length than was consistent with my health, or perhaps with your patience. What I have now heard has not altered my sentiments; and, as far as the voice of one man can go, my voice is clear and strong against the doctrine

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doctrine in question; for I think it incompatible with the constitution, incompatible with liberty, and the rights of juries. While it is tolerated, the liberty of the press is in imminent danger, and Englishmen are not safe.

Edmund Burke *spoke next*.

Mr. President, sir,

THE subject of our present debate is, in my opinion, a matter of a very serious and important nature; and it is not therefore to be dismissed without mature deliberation. The honourable gentleman who introduced it, boldly arraigns the general conduct of our courts of justice; and the gentleman who seconded him, as boldly arraigns the conduct of a particular judge. Either charge should be alone sufficient to excite our closest attention. What effect then ought both in conjunction to produce? They ought to impel us, if not to an enquiry, at least to a minute and elaborate discussion. For what has the mover of the question arraigned? He has arraigned the general principles of jurisprudence now adopted by our judges, and has, *in his way* proved them not only unconstitutional, but illegal. He has laid before you two heads of accusation, two points, in which, he conceives, the judges have not done their duty. These two points are *a rule of law* and *a rule of evidence* authorised, as he asserts, neither by precedent nor by the spirit of liberty. First he tells you that judges act illegally and unconstitutionally, in directing juries not to take cognizance of the malice or innocence of a culprit's intention in cases of libels; and secondly he tells you, that in cases of libels, they act illegally and unconstitutionally in acquainting the jury that the law infers guilt from the *prima facie* evidence; a position by which masters become, even in criminal cases, responsible for the conduct of their servants.

These are the doctrines which he arraigns, and which are now in issue before you. He asserts, that they are not sanctioned by precedent. But here his reading seems not to have been sufficiently extensive. There are precedents, and those too, I fear, of too much weight and authority. You have heard Lord Chief Justice Raymond's words quoted, and nothing can be more explicit than they are in fa-

vour of these doctrines. What! you will say, can these be the doctrines of Lord Raymond, and yet be unknown to the learned Serjeant? Why, it is impossible. A case so much in point could never escape his industry and learning; and, to render the thing certain, he gives the assertion a flat contradiction. But I say, that it is not only possible and probable, but certain; and let me tell you, that the way to overturn the credit of grave and universally esteemed historians, is not to give them a flat contradiction. The most positive asseverations of a modern go for nothing, when they are unsupported by the contradictory testimony of some ancient cotemporary author. Was this heresy then adopted as an article of faith, by Raymond? Yes, sir, it was; the fact is too clear, too well known, to bear dispute. Nor was it an innovation introduced by that great judge. No: he received it as a legacy from still greater judges, and, among the rest, from the very bulwark of the revolution, Lord Holt.

But what though this opinion has been sanctioned by a series of precedents; what though it has been embraced by men as deep skilled in law and casuistry, remarkable for inflexible patriotism; have not the greatest lawyers, the profoundest casuists, and the staunchest patriots erred? Why then should the judges be thought exempted from the common lot of humanity? Why should they be deemed infallible more than other mortals? Believe me, the wisdom of the whole nation can see farther than the sages of Westminster-hall. In a constitutional point, like this, the collective knowledge and penetration of the people at large are more to be depended on than the boasted discernment of all the bar. The reason is clear. Their eyes are not dazzled by the prospect of an opposite interest. The crown has no lure sufficiently tempting to make them forget themselves, and the general good.

Why then should not we on this occasion listen to their voice, as it is heard sufficiently loud and distinct? Because, forsooth, they have no voice, because their sentiments are only to be gathered from the determinations of the majority of this house! because,

after a general election is closed, they have no legal existence, and have therefore no other mouth but that of their representatives!

Strange doctrine! what then is become of petitioning? Are they not legally intitled to that right? You cannot deny it without denying the authority of the Bill of Rights. How then can you pretend that they have no legal voice but that of their representatives? They have both a real and a legal voice, and they have uttered that voice. Consult the *History of the Reign of George the Third*. In that performance, which will be an everlasting monument of the folly, incapacity, and pernicious politicks of our late and present ministers, you will find it demonstrated, that the majority of Englishmen have petitioned the king, and have consequently expressed their own sentiments by their own mouth, without the intervention of their deputies. By what rule then does the majority of this house square its conduct, when it acts in direct opposition to the majority of the people? By that rule of arithmetick, which by its almighty fiat overturned the laws of nature, decreed 296, to be greater than 3146, gave us Colonel Luttrell for John Wilkes, a cuckoo in a magpy's nest to suck its eggs.

That there should be found gentlemen, who would annihilate the people, and acknowledge no other voice but that of this house, is to me not at all surprising; because the conduct of the most violent sticklers for this doctrine, has not deserved much applause or favour from them. But that they should have renounced reason and common sense, so far as to maintain that the majority of this assembly is the only organ, by which their sentiments can be expressed, is to me truly surprising. For where, in the name of wonder, should the house acquire the necessary knowledge or intelligence? Is it by turning over these musty volumes, or by rummaging these gaudy boxes, which lie on your table? No; they contain none of these mysteries. How then are they to be explored? Is there any virtue or inspiration in these benches or cushions, by which they are communicated? Or does the echo of these walls whisper the secret in your ears? No; but the echo of every other

wall, the murmur of every stream, the shouts, ay, and the hoots and hisses of every street in the nation ring it in your ears, and deafen you with their din. *Deafen you* did I say? Alas! you were deaf before, or rather dead, else you would have heard; for their voice is loud enough to waken almost the dead. For shame, gentlemen, let us hear no more such weak reasonings and sophistical refinements. Far from producing conviction, they cannot even extort a smile, except peradventure at the author, who resembles a hunter, that would catch an elephant in toils made of cobweb. The people have a voice of their own, and it must, nay it will be sooner or later heard; and I, as in duty bound, will always exert every nerve, and every power, of which I am master, to hasten the completion of so desirable an event.

My reverence for the judges, against whom the popular cry is now so loud, will not determine; because I know all judges are but men. Not only former judges but juries have erred. Why not the present? Yes, sir, juries have erred, and they may err again. When they do, I shall be as ready to inquire into their conduct as I am now into that of the judges. Gentlemen may talk of their great respect for juries, and of their readiness to acquiesce in their determinations; but I am not disposed to be so complaisant. I will make no man nor any set of men a compliment of the constitution. It is too valuable an inheritance to be so lightly relinquished. When the actions of juries are praise-worthy, let them be applauded; when they are criminal, let them be punished. Popularity should not be bought at so high a price. For my own part, let the malicious and the ungenerous say what they will, I am a blind follower of no man, nor a bond slave to any party. I have always acted according to the best information of my judgment and the clear dictates of my conscience. On this occasion I solemnly protest before God, that I entertain no personal enmity against any man, nor have I any interested schemes to promote. My sole object in supporting the proposed inquiry is the public welfare, and the acquittal of the judges. For I am satisfied that an acquittal will be the consequence. In

acting thus, I think myself their best friend; because no other plan will clear their character. Till this step is taken, in vain do they pretend to superior sanctity; in vain do some gentlemen tread their halls as holy ground, or reverence their courts as the temples of the Divinity. To the people they appear the temples of idols, and false oracles, or rather as the dwellings of truth and justice, converted into dens of thieves and robbers. For what greater robbers can there be than those, who rob men of their laws and liberties? No man here has a greater veneration than I have for doctors of the law; and it is for that reason that I would thus render their characters pure and unsullied as the driven snow. But will any of you pretend that this is at present the case? Are not their temples profaned? Has not pollution entered them, and penetrated even to the holy of holies? Are not the priests suspected of being no better than those of Bell and the Dragon, or rather of being worse than those of Baal? And has not therefore the fire of the people's wrath almost consumed them? The lightening has pierced their sanctuary, and rent the veil of their temple from the top even unto the bottom. Nothing is whole, nothing is sound. The ten tables of the law are shattered and splintered. The ark of the covenant is lost, and passed into the hands of the uncircumcised. Both they and *ye* are become an abomination unto the Lord. In order to wash away your sins, and let Moses and the prophets ascend mount Sinai, and bring us down the second table of the law in thunders and lightnings; for in thunders and lightnings the constitution was first, and must now, be established. Let the judges mount up to the source of precedents and decisions, and trace the law clear and unpolluted along the stream of time, and the silent lapse of years. Let them march in procession to this house ushered in by a long train of precedents, and opinions, and lay them all in a bundle in the middle of this room. Then and not till then, will they stand justified. Then and not till then, will you stand justified. In vain do you trust to the virtue of the furred gown, or to the magic of that bauble, as Cromwel truly called it. They

confer neither real power, nor, what is often its parent, a fair character. These desirable possessions are acquired by an upright conduct, and the confidence of the people.

Mr. De Grey, the Attorney General, spoke next.

Mr. President, sir,

I MUST say, that I have been much edified by the harangue of the last gentleman who spoke. He has, in my opinion, thrown great light upon the subject in debate. The learned mover of the question, notwithstanding his diffuse oration, left me almost as much in the dark, with regard to different heads of complaint, as if he had never opened his mouth. Of himself he knew nothing. His more learned second, indeed, knew something. He believed a certain individual, whom he very decently named to be the chief criminal. What with the no knowledge of the one, and the extensive knowledge of the other, I was left beating the bush for the game of which they were in pursuit. But I could not start it. Involved in the cloud of wind and dust, which they had raised, it eluded my search.

But now I begin to penetrate the chaos, and to see light; I begin to distinguish three articles of impeachment. First, it is represented as a great crime in a judge to deny a jury the right of taking cognizance of a culprit's intention in publishing a libel. Secondly, it is alledged to be a heinous offence to confine a jury to the narrow limits of finding only the simple fact of publication, and the bare application. Thirdly, it is pretended to be a high misdemeanour to tell a jury that the law infers guilt from the *prima facie* or intuitive evidence. These charges have been made during the course of the debate; it matters not by whom; they have dropt somewhere in this assembly.

Now the two first of them are evidently reducible to one and the same charge; because, if you remove the first, which is the great stumbling-block of patriotism, the second is removed of course. It cannot afterwards exist a moment even in imagination. But let me ask you, whether the first point has not been proved to your satisfaction to be legal? Has not the Honourable Gentleman, who

sits near me, fairly silenced the clamorous tongue of oppression, and with the strength of his arguments, and the power of his eloquence, made even the bold front of patriotism shrink back abashed and confounded? To me his arguments seemed so clear, and irrefragable, that I should think I offered an affront to your understandings, if I attempted to give them any additional force. I have yet heard nothing in opposition to them, but what has exposed the authors to ridicule. I will not therefore mispend your time in confuting those, who stand self-confuted. What is the result? The judges, being acquitted of the first accusation, and the second depending on the first, the consequence is that they are acquitted of both.

There remains now but the third article of impeachment; and here I believe the learned serjeant will prove as unfortunate as in the preceding. He thinks it highly illegal and unconstitutional to tell the jury that the law infers guilt from the *prima facie* evidence; a maxim, by which the master was in a criminal case punished for the crime of the servant. But is this a fair state of the case? If it were, there would be some room for complaint. But it is not. The direction of the judge was, that the law infers guilt in the master, from the *prima facie* evidence, where there is no evidence offered to prove that the act fixed upon the master by the *prima facie* evidence, was solely the act of the servant. Now, was any such evidence offered in the case to which he alludes? By no means. What follows? The culprit was justly found guilty; and the judge is not in any case blameless, because his conduct was strictly legal. If the law had been in any circumstance violated; if there had been the least flaw in the proceedings, would the learned serjeant have failed to take advantage of the errors, and to move an arrest of judgment? He alledges, indeed, that in none of the trials, affairs were brought to a state susceptible of such a proceeding; that no verdict was ever obtained against any of his clients. What then is become of Almon's trial? Was there no verdict found against him? The learned serjeant's memory must be very treacherous, and seems, if we reason from this instance, to be very unequal

to the task of recollecting all the precedents and decisions, which ought to be had in contemplation, if he would form a full and comprehensive idea of the question, that he has undertaken to carry through the house. But the patriots do not appear to have had it so much for their object to form a right judgment of the question, as to throw odium on the judges. Nor can I see any other end, which they could propose by this enquiry, but the removal of the judges by the weight of popular clamour. I cannot suppose them so ignorant of the law, as to imagine, that the sages of Westminster-hall had been treading unconstitutional ground. They must have been sensible, that these venerable personages, were without spot or blemish; but they were willing to embrace the favours of fortune, and to rise to eminence and place, on the shoulders of the misled multitude. I know they would be ready enough to occupy these envied stations; and I have no objection to their promotion, on fair and constitutional principles. But let them not be so eager and precipitate as to forget all law, and justice, and decorum. Such indiscretion and violence, will not only ruin their cause, but expose them to ridicule, for want of common understanding. The principal object of their vengeance laughs at their impotent attacks. His conduct has, I must say, been on all occasions, truly noble and magnanimous. When I asked him, whether I should prosecute a virulent libeller, who had in the most outrageous manner traduced his character? He scorned to take an advantage of an enemy, who lay at his mercy, and declared, that the time would soon come, when his conduct would appear fully justified to the publick, and silence even the envenomed tongue of slander.

The Life of Zoroaster concluded. From p. 552.

AFTER having consulted Ormuzd and the celestial spirits, Zoroaster returned into the world. The magicians and evil genii informed of his arrival assembled in great armies to carry on war against him; but seeing the knowledge with which he was filled they bit their fingers with vexation. A truce with your *Avesta*, said

said the chief of the magicians; these words, which you rehearse to the sound of the drum, can have no influence upon us. Unable to contain his wrath, Zoroaster repeated a chapter of the Avesta, and set up a loud shout, which put the dews to flight. All of them sunk down and vanished under ground. The magicians were seized with terror; some died, some asked pardon.

Being thus victorious he set out for Balkh, and advanced towards the palace of Gustasp. Reaching it on a fortunate day, he rested for some time, and, after calling upon the name of God, went straight to the place of the king's residence. As he could procure no admittance, he cleft the ceiling of the Divan in which Gustasp held his court, and descended through the opening.

Several of those, who were present, took to their heels; but Gustasp was not terrified by the prodigy. He sat undismayed on his throne, surrounded by his grandees and shining in all his glory, when the prophet approached, and hailed him after the manner of the East. Struck with the wisdom of his words the king asked his philosophers, if they knew him; and being answered in the negative, he ordered a seat to be fetched, and desired Zoroaster to sit down and display all his learning. It was then that he communicated the mysteries of the other world, and talked as man had never talked before. Many were the questions which he was asked; but he solved them all in the most satisfactory manner.

After these proofs of his merit, the sages spread a carpet on the floor, and sitting down around him catechised him each in his turn. They were astonished at the extent of his knowledge, and went away fatigued by the number of questions proposed and satisfactorily answered in every branch of ancient and modern learning. Gustasp interested in this spectacle questioned the oracle, and being highly pleased with his responses assigned him a magnificent apartment in his palace. The confounded sages and philosophers withdrew, and spent the night in thinking of some problem, that would gravel Zoroaster. As for him, he passed his time in prayer, and in thank-

giving to God for his late triumph. Next morning he discovered the same superiority. It was in vain that the casuists and doctors of the time endeavoured to puzzle him. He brandished his tongue against them, like a sharp sword; and it cut in twain all their knotty logick and subtle metaphysics. Gustasp desired to know the history of his birth and family. He obeyed, and begged that on the following day the grandees, generals and sages might be convened; as he intended then to communicate all his knowledge.

Full of envy and jealousy they assembled: but our apostle, who had been all night employed in prayer, rendered all their schemes of vengeance abortive. In consequence he became great in the eyes of Zoroaster, and at length opened his commission from heaven. Gustasp, said he, I am sent to thee in behalf of the God, who has created the seven heavens, the earth and the stars, that God, who bestows upon you life and your daily bread, who takes care of his servant, who has given you the crown, who protects you and has brought your body out of nothing. It is by his order that you act and command your servants. Accept the Zend-Avesta, which he sends you by my hands. It contains his word, the command of Ormusd. If you listen to his order, God will cover you in the other world as in this with glory. But if you prove refractory, God will make your glory vanish, and your end shall be hell. Attend to the instructions of Ormusd, forsake the dews, and observe my words.

Gustasp would not believe in his mission without miracles. Zoroaster insisted that there was no occasion for miracles; the Zend-Avesta it self being the greatest of miracles; as it explained the secrets of the two worlds, the course of the stars and the law of God. Read me then a part of the Zend-Avesta, says the king. He did so: but the heart of Gustasp was yet disposed to receive the law. The greatness of the Avesta exceeded his comprehension. He was like a child that throws away a precious stone like an ignorant that knows not the value of learning. Resolved to proceed with caution, he declared that, before he came to any determination,

would hear the whole, and for that purpose he should have free access. Charmed with his condescension the prophet promised, in order to remove his doubts, to perform as many miracles as he chose.

Accordingly, by the advice of the Persian sages, Zoroaster was bound hand and foot, and had his body rubbed all over with drugs of known virtue. This operation being performed, they poured over him a *mar*, or thirty four pounds of melted brass, declaring that, if he perished in the experiment, it would be a just punishment for his imposture: but that, if he survived safe and sound, his doctrine must be embraced. Zoroaster accepted the offer, presented the Zend-Avesta, and said, O God, if it is thou that hast sent me this book, suffer not the brass to do me any injury. His prayer having succeeded he wrought other miracles. Fire was put into his hand, and did not burn. The same prodigy took place with respect to those, into whose hands he put fire. He likewise planted near the king's palace a cypress, which in a few days swelled to such a size that six large ropes could not encircle it. He afterwards built a large room upon its highest branches. Gustasp overpowered by this multitude of miracles embraced the law of the new prophet, who explained to him every day the mysteries of the Avesta.

Such distinguished favour excited the envy of the courtiers. In order to ruin his credit, they got, by means of the porter, possession of the key that opened the prophet's apartment, and secretly conveyed into it the usual instruments of enchanters, such as the hair, the bones, and pieces of dead corpses, with a cat's and a dog's head and other unclean things. All these they put into a bag, and placed it under the pillow of Zoroaster, promising the porter to keep the secret. In the morning, when he was explaining the Zend-Avesta to the king, he came in a body, and accused him of being an enchanter. His apartment was searched; and every thing was carried away, his food, his raiment, his sleeping carpet, his books, his bag and his bag. What was his surprise, when he beheld the last of

these moveables full of impurity? His eyes became dim at the sight of the corpse. Are not these, said his calumniators, the arms of the magicians? Thou dog, viler than the dirt, said Gustasp, dost thou not deserve to be pierced with the spear, or to be empaled alive? Hast thou received these precious goods as presents from heaven with thy Zend-Avesta? He threw away the Zend-Avesta, and ordered our prophet to be imprisoned and loaded with irons. It was in vain that he protested his innocence. The conspiracy of the porter and the nobles had its full effect.

In four days a singular event effected his deliverance. The king had a fine black horse, of which he was extremely fond; as he rode him in battle, victory followed his steps. One morning as the master of the horse entered the stable, he observed that the black horse had no legs; they had skunked into his belly. Thunder-struck he ran to the king, who was deeply afflicted. His physicians and sages being called applied in vain a thousand remedies. Hence the city was plunged into the greatest sorrow. No body ate a morsel during the whole day.

Zoroaster, in his prison surprised that the jailor had forgot to bring him his bread and water, asked at night, what was the matter? Being informed, he undertook, upon his enlargement, to cure the black horse. His offer was accepted. He was brought before Gustasp, who said, I understand nothing of your doctrine: but if you are a true prophet, cure my horse. Think not the cure impossible, replied Zoroaster. Promise me only four things, and the four legs of your horse shall appear. Tell me what the four things are, and I will give you my promise. I will declare them, added the apostle, before the black horse. Accordingly they advanced to the stable, followed by the whole court.

Astonished at the appearance of the horse, Zoroaster said, the first thing which I ask is that you would firmly believe me to be the prophet of the God, who formed your visage and marked your character. If your heart agrees with your lips, your desire shall be accomplished. Upon any other terms expect no good from my prayers.

prayers. Gustasp consented to whatever was desired; and our prophet, after having prayed and wept before the Creator of all nature, rubbed with his hand the horse's right fore-leg; and it immediately came forth into its place. The king rejoiced, the courtiers made their acknowledgements, and all was full of the praises of the prophet.

Order, said this legislator, the hero Espondiar, thy son, to protest before God that he will support the law, and protect me against all my enemies. Espondiar being present and having acquiesced in his demands, he prayed and wept a second time; and the second fore-leg of the black horse made its appearance.

Being at his own request conducted into the interior part of the palace, he addressed the queen from behind a veil, and obtained a similar promise of her conversion and adherence to the faith. He returned to the stable, put up a third prayer; and the third leg of the horse returned.

Now the point was to cure the fourth limb. The new prophet said to Gustasp, The porter to whose calumny I owe my late disgrace, must appear, and declare by whose contrivance such impurities were lodged in my apartment. If he tells the truth, your horse will be cured; if he lies, there is no remedy. The porter being threatened with decapitation, and shaking, like a reed before the wind, disclosed the whole conspiracy; and the four first philosophers were empaled alive. Zoroaster praised God; and having prayed and wept a fourth time, he restored the fourth leg to the horse, who bounded like the tiger. Gustasp kissed him a thousand times, led him to his throne, seated him there, and begged that he would forget all former ill usage. Such, says the historian, is the power of God, who does what he pleases without permitting any being to ask him why or wherefore?

This multitude of miracles raised the credit of Zoroaster to the highest pitch; and the king took his advice in every affair of moment. One day he proposed to him four modest requests; first, that the prophet would show him his destined place in the other world; secondly, that his body should be invulnerable to an enemy, as he should

be engaged in many wars during the publication of the law; thirdly, that he should be made acquainted with the state of the universe with respect to good and evil; and fourthly, that his soul should not be separated from his body till the resurrection.

These things, said the prophet, I will ask from the Author of your present happiness: but you must be satisfied with one of them for yourself, and suffer the other three to be conferred on three of your most distinguished friends.

Gustasp chose to see the place of glory intended for him in heaven. Accordingly, next day, as he sat on a throne of gold with a golden diadem adorned with diamonds on his head, there appeared at the gate four cavaliers armed at all points, covered with cuirasses, and tall as mountains. What is the meaning of all this, said he to Zoroaster? Scarce had he uttered these words, when the four cavaliers clad in habits of different colours advanced towards the throne with their spears in their hands, and infusing terror into every beholder. The one was Bahman, and the other Ardibeheschit, followed by Rhordad and Adergoschasp. God, said they, has sent us, O king of cities, to charge you to obey Zoroaster, who is his prophet. Vex him not; and your desires shall be accomplished; you shall escape hell. It is I, says Ormusd, who sent Zoroaster; I have subjected to him the whole world. Gustasp having recovered from an extasy of fear and amazement said, I am the least of the servants of Ormusd. You see me ready to execute his orders. After this answer, the four cavaliers sprung away like the arrow from the bow.

Zoroaster then performed a certain religious ceremony, in which he offered wine, perfumes, milk and a pomegranate. He blessed these things, repeated a portion of the Zend-Avesta, drank some wine, and presented the cup to the king, who also drank, and fell asleep like a man intoxicated. Three days he continued in this situation, while his soul went directly to the throne of God, and there saw his rerdar, (or good principle,) pure and shining, like light in the place destined for him among the saints.

In pursuance of the same plan, Zoro-

after gave some milk to Paschoaten, Gustasp's second son; and upon drinking it he became immortal. At the same time he gave odours to Djamasp, the prime minister, who instantly became possessed of every science, and acquainted with whatever should happen till the resurrection. Lastly he made Espendiar eat a few pips of a pomegranate; and his body at once became invulnerable like stone.

Gustasp awaking thanked the God of the two worlds, and ordered all his subjects to embrace the new law. He made the prophet read and explain the Zend-Avesta; and the frightened deus fled under ground. The Mobeds and Herbeds being convened, he spoke to them concerning various kinds of fire before the King of kings, and ordered that they should be honoured with zeal, and with the instruments specified in the law. Then he had a vaulted chamber built with the figure of the moon placed upon it; and within stood a large throne covered with gold and silver. When this dome was finished, he had it covered with tapestry, that it might not be polluted by the eyes of the profane. Into this Atesch-gah fire was carried; and Zoroaster recommended the construction of others of the same nature; being representations of the heavens. Then, says the historian, the hearts of the servants of Ormusd, were full of joy, while the worshippers of the deus pined in sorrow.

It was after the erection of this Atesch-gah that Zoroaster gave Gustasp certain instructions, which he received from Ormusd. The most remarkable of these, and indeed the only ones, of which we have not in other words already taken notice are the two following. First, Ormusd tells the man of the law that he, who does good, shall receive a reward proportioned to his merit. Secondly, Ormusd announces to the people of the world that the souls of all men shall remain in hell a time proportioned to their crimes.

The first disciples of this legislator were Mediomah his cousin, Djamasp prime minister to Gustasp, and Freschofter brother to Djamasp; of all whom he makes frequent and honourable mention in the Zend-Avesta.

Dec. 1771.

By his first wife Zoroaster had three daughters, and a son named Esedevaster, who was chief of the Mobeds. After her death he married another, by whom he had two sons, one called Oruertour, who was chief of the husbandmen, and Destour of Vardjemguerd peopled by Djemschid; and another Khorischidcher, a captain of the military. It is not known whether he had any children by his third wife Houo, the daughter of Freschofter. One thing is certain; the Zendian books give him three, who will appear at the end of the world. Zoroaster, according to these works, knew his wife Houo three times; and she having soon after gone to bathe herself left the garments in the water. Neriosengh and Anahid, two Izeds, or celestial spirits of the second order, were appointed to take care of them, till three virgins bathing in the same water should successively receive the garments there deposited, and bring forth three sons of Zoroaster. The first of these posthumous sons is called Oschederbami. He is to appear in the last millennium of the world, to stop the course of the sun ten days and ten nights, and to convert one half of mankind to the law, of which he will bring the twenty-second *nosk*, or division. The second son Oschedermah will appear four hundred years after him, stop the sun twenty days and twenty nights, bring the twenty third *nosk* of the law, which one third of the remainder will embrace. Sosiosch the third son will appear at the consummation of all things. He is to bring the twenty fourth *nosk* of the law, to stop the sun thirty days and thirty nights, and to convert the whole earth. Then will happen the resurrection.

Our prophet did not make the province of iron, the sole object of his mission. His son Oruertour was sent, as we have observed, to convert Vardjemguerd; and Gustasp perfectly seconded this enthusiasm. He established Atesch-gahs, or temples for everlasting fires, in various places. The most famous of these was at Kaschmer, where Zoroaster planted a cypress, on the bark of whose trunk he wrote that Gustasp had embraced the law. When the tree was grown, he built on its branches a palace forty cubits in length, breadth and height.

In this were two rooms, of which the tiling was gold, the cieling silver; the walls being adorned with amber and precious stones. Here were placed the portraits of Djemschid and Feridoun. Hither Gustasp retired to be translated to heaven, when his hour should come. Hence he dispatched messengers to the extremities of his empire to order his governours to come on foot to visit the cypress, to hear Zoroaster, and to renounce the worship of the idols of Touran and Tchin. Those, who would not voluntarily consent, were compelled, and this species of persecution occasioned bloody wars.

His missionaries having penetrated as far as India made the reformation in Persia known to the Brachman Tchengreghatchah, under whose instructions the sages of the world had been formed, and who, vexed at the perversion of Iran, wrote a letter of advice to Gustasp. In this piece he declared that he could not sleep since the news arrived of the revolution effected by our prophet, whom he styled a young hypocritical impostor. He begged that the king would not allow himself to be imposed upon by his legerdemain, nor to be taken in his net, till he came to convict him of imposture and to cover him with shame.

The books of Tchergreghatchah being well known in Iran, and Djamasp the prime minister having been his scholar, due attention was paid to the letter. I stand, says Djamasp to the king, immoveably attached to the law; because no man unaided by the Divinity could know or do such things as Zoroaster. Yet still I am sensible that no mortal equals the Brachman in the sciences. Let us invite him to court, that the fame of his conversion may spread the law to the extremities of the world. A favourable answer and a pressing invitation were accordingly sent into India; and the philosopher, after three years study of the most difficult questions and problems without sleeping night or day in order to puzzle and confound Zoroaster, set out attended by the sages of India. Prepare to follow me like lions, said he to his attendants. Concern not yourselves about the issue of our journey. That will be my care.

Let the men of Iran and all the world know that real science is only in India, and that no mortal is wise before me.

He arrived at Balkh. The sages and philosophers assembled from all parts. Gustasp sat down upon a throne of gold with the Brachman and Zoroaster on each side of him on two thrones of the same metal. It was agreed that, if Zoroaster should answer the questions of Tchengreghatchah, the latter with all his train should embrace the law of the former, and propagate it in India; and that, if he could not answer them, he should be directly punished as an impostor.

Gustasp having signified that his conduct should be regulated by miracles, Zoroaster upon the spot promised to perform a miracle in support of his faith. Accordingly he orders a book of the Zend-Avesta to be read. And what did it contain? An enumeration and solution of the questions that were to be proposed to him by the Brachman. Ormusd had expressly mentioned this affair and all its concomitant circumstances in the body of the work. Tchengreghatchah astonished and confounded owned this to be above the reach of man, and evidently to discover the finger of God. He was converted. A feast of seven days followed. He received a copy of the Zend-Avesta. Above eighty thousand sages and chiefs of India, Sind and other kingdoms followed his example; and hence it is not surprising that traces of Zoroaster's religion are to be found in the most remote corners of Asia.

During an interval of twenty years after this period little is known of Zoroaster's actions, except a few miracles, the composition of literary performances, and a journey to Babylon, where he is supposed to have had Pythagoras among his scholars. At length he renounced this inaction. Finding that the pilgrimage to Cyprus had waxed cold, and that the king of Fouran and some chiefs of Iran were the causes of this backwardness, he advised Gustasp to shake off the yoke of Ardjas, and to pay no more tribute to the Touranians. Dreading the fall of his religion, which breathed charity to none but the faithful, he represented his opponents as enemies.

of God that deserved to be exterminated. Religious zeal thus conspiring with interest on both sides, a bloody war commenced. The fortune of arms, after being long doubtful, was at length fixed by Espendar in favour of Gustasp, who from a jealousy of his son's glory had him assassinated. Recollecting that he had almost dethroned his own father Lohrasp, he was afraid that Espendar might by his popularity be tempted to follow the example. This Mars of Persia, therefore, fell a victim to Gustasp's envy, jealousy and fear.

Such are the principal events of Zoroaster's life. Sublime in his ideas of the Divinity, in whose unity he believed, (for Ormusd and Ahriman were in his system but mere creatures contrived to prevent the difficulties, which the view of a single agent, as the cause of good and evil, might create to untutored minds), sublime, I say in his notions of the Divinity, and of the relations subsisting between all beings, pure in his scheme of morality, and breathing at first nothing but humanity, he allowed his excessive zeal to hurry him into imposture, and pious fraud. Blinded by success, and elated by the favour of princes and the applause of the people, he became impatient of contradiction, and commenced a persecutor, who without emotion saw rivers of blood bedew what he called the tree of his faith. But what is to be seen in all this conduct, to which we have not something analogous in every religion? Does not the governing party in all countries adopt more or less the principles of persecution? Did not the Romans persecute the Christians; and did not the Christians persecute afterwards in their turn? Even Calvin burnt at the stake; and some of the religious laws now unrepealed in England are very sanguinary? Where then is the wonder that the same spirit should have influenced Zoroaster?

A CURIOUS STORY.

THE story I shall tell you will convince you that these people (the *Missouris*) are only nominally savages, and that the French, who endeavoured to impose upon them, have deceived themselves. About forty years ago, when these Americans did

not yet know the Europeans, a traveller or hunter penetrated into their country, made them acquainted with fire-arms, and sold them muskets and gun-powder: they went out a-hunting and got great plenty of game, and of course many furs. Another traveller went thither some time after, with ammunition; but the Indians being still provided, they did not care to barter with the Frenchman, who invented a very odd trick, in order to sell his powder, without much troubling his head with the consequences that might result from his imposture to his countrymen. He thought he had done a great action in deceiving these poor people.

As the Indians are naturally curious, they were desirous of knowing how powder, which they called *grain*, was made in France. The traveller made them believe, that it was sown in *savannahs*, and that they had crops of it as of indigo or millett in America.

The *Missouris* were pleased with this discovery, and sowed all the gun-powder they had left, which obliged them to buy that of the Frenchman, who got a considerable quantity of beaver-skins, otter-skins, &c. for it, and afterwards went down the river to the Illinois, where M. de Tonti commanded.

The *Missouris* went from time to time to the *savannah*, to see if the powder was growing: they had placed a guard there, to hinder the wild beasts from spoiling the field; but they soon found out the Frenchman's trick: it must be observed that the Indians can be deceived but once, and that they always remember it; accordingly these were resolved to be revenged upon the first Frenchman that should come to them. Soon after, the hopes of profit excited the traveller to send his partner to the *Missouris*, with goods proper for their commerce; they soon found out, that this Frenchman was associated with the man who had imposed upon them; however, they dissembled the trick which his predecessor had played. They gave him the public hut, which was in the middle of the village, to deposit his bales in; and when they were all laid out to view, the *Missouris* came in confusedly, and all those who had

been foolish enough to sow gun-powder, took away some goods; so the poor Frenchman was rid of all his bales at once, but without any equivalent from the Indians. He complained much of these proceedings, and laid his grievances before the great chief, who answered him very gravely; that he should have justice done him, but for that purpose he must wait for the gun-powder harvest, his subjects having sown that commodity by the advice of his countryman; that he might believe upon the word of a sovereign, that, after that harvest was over, he would order a general hunt, and that all the skins of the wild beasts which should be taken, should be given in return for the important secret, which the other Frenchman had taught them.

Our traveller alledged, that the ground of the *Missouris* was not fit for producing gun-powder, and that his subjects had not taken notice, that France was the only country where it succeeded in. All his reasoning was useless; he returned much lighter than he came, and ashamed of having been corrected by savage men.

An ironical Defence of the present Mode of Gallantry prevailing among the English Ladies.

I Am sorry to see the spirit of chivalry so far extinguished in this island, as to prevent any adventurous knight from stepping forth in defence of the fair, when they happen to be unjustly and illiberally attacked.—One would have thought that such a man as the Duke of Cumberland at least would have entered the lists, and thrown down his glove. But I suppose, he is too much employed in serving them another way, to have any leisure for wielding the grey-goose quill in their cause. Notwithstanding the rapid sale of his letters (the best proof of literary merit), he may perhaps imagine, that he is not so dexterous at the use of his pen, as of another weapon. While he is labouring in his favourite vineyard, let it be my task to justify their conduct to the publick. What part of their conduct, you will ask? The fashionable practice of entertaining a plurality of husbands. And here no argument can occur more readily, than its universality and antiqui-

ty. Those who undertake to prove the existence of a Deity, insist upon the universality of such a notion as an unanswerable argument of its truth. No country, no nation, say they, is so savage or barbarous, as not to have some idea of a Divinity. How could this be the case if a God did not really exist? Treading in their steps, I say, that no nation, barbarous or civilized, has yet been found, where the women have been contented with one man. In France, which is supposed to have carried civilization to the greatest perfection, every body knows that, after an heir to the family is got, the wife is allowed to make whom she pleases a husband; and it would be a kind of prodigy to hear that a husband fought a duel, like Ligonier, for the violation of his rib's chastity. Italy, refined Italy, has advanced a step farther, and publicly allows every married lady a second husband in a ciciber, besides the private connections which she forms in common with other women. And I doubt not but Signor Baretti will, like his countrymen, call us and the other nations, who have not adopted his polite fashion, *Gli Barbari*: among the Kamtschatkans, (not the most civilized of men) so little is the jealousy entertained of the honour of matrons, that they esteem it a mark of politeness and hospitality to offer their friend the enjoyment of their wife or daughter; and to refuse a civility of this kind, is esteemed an affront worthy of resentment. In Louisiana, upon the coast of Guinea, in several parts of the East-Indies, in Pegu, Siam, Cochin, China, and Cambodia, the same practice, with little variation, is adopted. It would be idle to run over all the countries, which might be quoted as proofs of our assertion.

Whoever is the least read in modern history, must know that all nations have more or less embraced this doctrine. We may therefore take it for granted, that Lady Grosvenor, Lady Ligonier, Mrs. B—y, and their disciples, having the sanction of all nations and tongues, are right in their conduct. At least the argument is as good in their favour, as it is in opposition to atheists; and therefore I doubt not but I shall have all the clergy on my side in this dispute.

But if, after all, this reasoning

should not be thought conclusive in favour of the ladies, I doubt not but all will allow that the antiquity of the practice is. Now I know of no writer more antient than Herodotus; and he says that, among the Lycians children were accustomed to take their names from the mother, and not from the father; because the husbands were so numerous, that it was impossible even for the mother to ascertain the real father: so that if any person was desired to give an account of the family to which he belonged, he was obliged to recount his maternal genealogy in the female line. The antient inhabitants of Attica observed the same custom for the same reasons; and many tribes in North-America, such as the Iraquois, follow this creed. On the coast of Malabar it has prevailed from time immemorial; and there is a law that restrains women from having more than twelve husbands. In the Ladrone, or Morian illes, the wife is absolute mistress of the house, and keeps her seraglio. She chastises or puts them away at pleasure; and whenever a separation happens, she not only retains all her moveables, but also her children, who consider the next husband as their father.

Many of the American tribes, not satisfied with this mark of pre-eminence, admit the women into their public counsels, and allow them the privilege of giving their opinion first upon every subject of deliberation. Among the ancient Britons, the fair sex enjoyed the same right. But where is the wonder? Ten or twelve of them, according to Cæsar, were the property of one woman. Among the antient Massagetæ, it was usual for friends to have so many wives in common; and the Troglodites and Ichthyophagi upon the coast of the Red Sea, were equally liberal in their notions of the commerce between the two sexes. Now as all these people lived much nearer the source of things than we, it is natural to suppose that they lived more according to nature. And in fact I find Rousseau, the great philosopher of Geneva, contending for this very system. Nor am I surprised: for what can be more rational than to

live according to nature? Cicero, and almost all the ancient moralists have this phrase constantly in their mouths; and I cannot account for the great run which Rousseau's works have had but upon the supposition that the doctrine which I am recommending, and which has been introduced by the female philosophers of the British court, is founded on reason.

The Lydians, according to Herodotus, did not allow young women to marry, till they had earned their dowries by prostitution. The ancient Babylonians prostituted their daughters for a living; and the honour of matrons could not be held in any great estimation by them, since it was a general regulation among them that every woman should once in her life submit to a publick prostitution in the temple of Venus. A religious ceremony of the like nature was observed in the island of Cyprus. Now if it was laudable in these people to prostitute themselves for a living or dowry, is it not equally laudable in the British fair to prostitute themselves for pin money?

The brutes, their legal husbands are too severe, and will not allow them reasonable liberties. They are the only slaves in the British dominions. They are worse treated than the negroes in the West-Indies. Are not those ladies then highly to be extolled, who have undertaken the arduous task of setting one half of the species free? For my part I hold them in great esteem; and if they go on as they have done, I doubt not but they will effect as great a revolution, and excite my admiration as much as the famed legislator of Sparta, who introduced the custom of lending a wife to a friend for the sake of breeding. Our ladies only imitate Lycurgus. They have found out that their husbands are not fit to get children; and therefore have procured them the assistance of their footmen, valets de chambres, coachmen and postillions. Anxious for the public good, they have determined to keep up the *breed of noble bloods*, that the race of Englishmen may not fail,

A full and distinct Account of the Plan now in Agitation to procure Relief from Parliament in the Matter of Subscription to the Thirty-nine Articles and the Liturgy.

To the CLERGY and GRADUATES.

IN every proposal wherein the public is concerned, and to the consideration of which their attention is desired, they have an undoubted claim to a full and circumstantial information with respect to the design itself, and the measures whereby the promoters of it mean to effect their purpose.

It is now pretty generally known that a plan has been some months in agitation, to petition parliament for relief in the matter of subscription to the thirty-nine articles and liturgy of the church of England; and that meetings have been held in London to consult upon the methods of obtaining such relief.

Upon the first general meeting at the Feathers-tavern in the Strand, on the seventeenth of last July, it was agreed that the following bond of association should be signed by the persons there present.

“We, whose names are hereunto subscribed, do profess that the intent of our present meeting is to obtain redress in the matter of subscription to the liturgy and thirty-nine articles of the church of England; and that we purpose, by every legal and just method, to promote the said end.”

This declaration was accordingly subscribed by several gentlemen of the three professions of divinity, civil law, and physic; and immediately after the following resolutions were unanimously agreed to.

First, That the method of petitioning parliament is judged a legal and just method of promoting the afore-mentioned end.

Secondly, That a committee of eleven gentlemen (then named) be appointed to draw up a petition, in order to be submitted to the sense of the next general meeting.

Thirdly, That the twenty-fifth of September next be appointed for a second general meeting, to con-

sider the petition which shall then be presented to them by the said committee.

At this second general meeting, the petition which had been previously prepared by the committee was twice read, unanimously approved of, and immediately signed by the gentlemen then present.

The associated members are sensible that the publication of this petition would be the most natural and satisfactory method of acquainting the public with the nature and whole extent of their purpose, but they are restrained from giving this proof of the candour and moderation of their proceedings, by the consideration of the impropriety and indecency which would attend the publication of such petition, previous to its presentment to that honourable house, from which they solicit relief.

The following summary view, however, of their plan and intentions, is submitted to the consideration of every friend to religious liberty and the Gospel.

It is well known that, previous to ordination and admission to ecclesiastical preferments, subscription to some, or all of the thirty-nine articles of religion, as well as to the liturgy, is insisted on by various acts of parliament, and canons of the church.

It is also well known that such subscription is required previous to admission to every degree in the universities of Cambridge and Oxford. In the latter of which it is required even at the time of first admission or matriculation. Restraints which experience has shewn to be unnecessary by the example of the university of Dublin, wherein they are absolutely unknown.

It is the intention of the petitioners to solicit relief in the matter of subscription to the thirty-nine articles of the church of England, for the following reasons.

First, Because they apprehend, that the liberty of judging for themselves with respect to the sense of scripture is one of those possessions which they have a right to enjoy as members of protestant state; a possession which the first and most venerable of our reformers claimed as the unalienable

property of christians, in opposition to the tyranny and bigotry of *Rome*—A privilege, which cannot with justice be circumscribed by any jurisdiction upon earth, by whatever names such jurisdiction is distinguished or defined.

Secondly, Because they are in their consciences persuaded, that the requisition of such subscription very powerfully obstructs the right understanding and progress of the Gospel, by imposing upon more improved times the doctrines of dark and ignorant ages, as the genuine declarations of holy writ—by elevating the opinions and commandments of fallible men, to an equality of honour and authority with the word of the infallible God—by subjecting the professors of christianity to the charge of insincerity and prevarication, in subscribing or declaring their unfeigned assent to propositions, which are expressed in abstruse and unscriptural terms—by deriving upon the most zealous friends of religion, the reproaches of intolerant and bigotted brethren—by exposing the holy doctrines of their master to the scorn and derision of unbelieving and profligate men; at the same time precluding the use of those arguments from sacred writ, whereby the enemies of revelation might be effectually silenced—by depriving the church of many valuable members, who, on account of her exerting an authority in matters of faith, have sought themselves under a necessity of departing from her communion—producing unhappy divisions in her bosom—divisions hurtful to the interests of christianity—destructive of piety and strict morality which is commended in the Gospel, and therefore prejudicial, and even dangerous to the state.

Thirdly, Because all the security which the state can reasonably require already provided by the oaths of supremacy and allegiance. And all security which a protestant church consistently demand, is provided by many declarations of attachment to the cause of christianity as contained in the scriptures; whereby all danger which might be apprehended to our excellent constitution, and the interests of that holy religion which is established in our land from the encroachments

of the papal power, is effectually and intirely removed. At the same time the petitioners are willing to afford any further proof of their abhorrence of the antichristian power and spirit of popery, which the legislature shall think proper to require.

With respect to subscription to the liturgy, we cannot but lament that the legislature should think proper to continue the requisition of a subscribed approbation of a form of worship, the use of which is established by penalties, which must sufficiently ensure the obedience of the parties concerned. Penalties, and not subscription and declarations, surely constitute the proper sanctions of law.

It is therefore the intention of the petitioners to solicit relief in the matter of subscription to the liturgy also of the church of England.

First, Because such subscription not only implies an assent to those doctrines, which are said to be contained in the forms of public worship, and therefore is liable to the same objections, as subscription to the articles themselves; but is attended with the additional inconveniences that arise from such doctrines being more obscurely and indeterminately declared.

Secondly, Because such requisition of subscription must eventually preclude all improvement in a liturgy, which, however excellent in the main design, has been proved to be defective and reprehensible in many of its parts; inasmuch as it subjects to the charge of inconsistency, those persons who may at any time propose an amendment in the forms of public worship, to the full approbation of which it may be urged, they have with all solemnity subscribed.

Parliamentary redress is preferred to the mode of obtaining relief in convocation;

Because, it is apprehended, that subscription being enjoined by law, it is not in the power, nor does it fall within the province of the bishops and clergy assembled in convocation, to afford that effectual relief to the petitioners which is the object of their suit—more especially as the grievance complained of affects not the clergy only, but the two professions of civil law and physic, as well

well as others of the laity; the discharge of whose functions seems to be wholly exempt from the controul, and altogether unconnected with, every kind of ecclesiastical jurisdiction.

It may be demanded of us to assign our reasons for petitioning redress at this particular period; and it may be objected that we should respectfully wait for the interposition, or request the concurrence of, our superiors in the church. It is answered, that as the grievances we complain of, are peculiarly our own, so they have been acknowledged and proclaimed, long before the commencement of the present dissensions in the state: and that the promoters of this attempt to remove them, disclaim all other reasons and motives for coming forth in support of this cause, which do not immediately arise from a sense of duty, and which would not, upon the strictest examination, appear deserving of approbation. Conscious of the purity of their intentions, they court the countenance of no party whatsoever; they intreat and shall joyfully accept the assistance of every honest and liberal man.

After such an avowal, we may be allowed still further to observe, that the time when a grievance is felt and complained of, is always the proper time for Protestants and Englishmen to petition for its removal—that the petition in question must support itself, not by the dignity or number of the persons who prefer it, but by the intrinsic justice and moderation of its claims—and that there is a perpetual obligation upon the legislature, in every well-constituted state, to attend to and redress the religious grievances of the subject, although such remonstrance should proceed from the meanest of the people. With respect to the conduct of our ecclesiastical superiors, the petitioners have observed a most respectful silence: solicitous only to approve themselves the faithful servants of God, by a discharge of their own duty, in their petition they presume neither to censure nor commend. Yet if reprehended for officiousness in stepping forth from their obscurity, by assuming the cha-

acter of petitioners, instead of acquiescing with a dutiful submission to what the wisdom of their superiors has thought reasonable and just, they must at length be obliged to confess, that the requested relaxation and indulgence would indeed have been recommended to the legislature with peculiar propriety from the bench. And it may be further allowed to the zeal of persons, whose hearts are warmed by an affectionate concern for the true interests of religion, to declare, that after so many just, so many affecting remonstrances from the press, it was but reasonable to expect that the bishops of the church of England would have long since taken the lead in this truly protestant design. But the time of all reasonable acquiescence being expired, it is now become the duty of every friend to christian liberty, each according to his ability, to be active in a cause wherein the advancement of the Gospel, and the honour of his master, are so immediately and essentially concerned*.

The History of Cidal Achmet, who carried off the Grand Seigneur's Daughter, kept a Seraglio at Chelsea, and was assassinated by the Turkish Agents of that Prince.

THE great concourse of foreigners who resort to London on various affairs, joined to the liberty of England, which permits all manner of persons, who conform to its laws in other respects, to follow their own private pursuits, and to live just in what manner they think proper, renders the inhabitants in general less curious about the arrival and sojourn of strangers amongst them, than those of any other country. The singular circumstances of the following history, which are literally true, are striking proofs of this observation.

In the year 1724, a gentleman frequented the Royal Exchange, who called himself Mr. Herby; and, passing for a Turkey merchant, took a large country-house, about three miles from London, in a retired place (in the neighbourhood of Chelsea) where he constantly resided, and from

* A third general meeting of the clergy, &c. is fixed for the 11th of December, at the Feathers tavern, in the Strand.

ever made his appearance abroad, except on Change, and at the coffee-houses in the neighbourhood, where his chief intercourse seemed to be with foreign Jews, and it was imagined to be on the subject of exchange of money. He embellished his seat with every decoration of art and nature, sparing no cost or pains upon it; but so secret was he with respect to the internal affairs of his household, that no person out of doors knew the manner of life he led for some years; as he did not visit any neighbour, and was chiefly waited on by Turkish servants he had brought with him to England. His gardener, his cook, his steward, and in short all the domestics whose employments made it necessary for them to be familiar in the house, were Turks; and the few English servants he employed were lodged in out-houses and had certain bounds which they durst not pass on pain of being dismissed; and so amiable was his character as a good master, that none of them chose to disobey him; in short, his liberality acquired him the reputation of being immensely rich.

The only remarkable circumstance that transpired, was his keeping a number of mistresses; but as there was the strictest order and decorum observed, none of them ever appearing abroad to give offence to the neighbourhood, and that he had engaged all the lower people about him in his interest, by his generosity, no notice was taken of it, and he was suffered to enjoy his private pleasures without any molestation whatever; nor was it till after his death that the public was informed of the adventures we are now to relate.

From the time of his settling in the country, he had formed the resolution of having a seraglio in the same manner as if he had lived at Constantinople; and with this view he took no thought about the birth or accomplishments of his mistresses, but chose them as they pleased his eye, and possessed personal charms calculated to gratify his sensual inclinations. His first prize was a very handsome sempstress, to whom he had given some work; and forming an acquaintance with her by these means, he at length seduced her by presents to consent to live with him. The great pains he

took to make her situation happy, could not prevent her expressing some uneasiness at leading so solitary a life, which in a short time made her enter into Mr. Herby's views of forming his seraglio for the sake of company. The fear of dividing his affections had less power over her, than the chagrin of being debarred from all female society. She therefore consented to write to three young girls of her acquaintance, inviting them to pay her a visit; and she gave them such an advantageous account of her situation, as could not fail to excite their curiosity; which was heightened by another circumstance:—they were told in the letter that the servant, who was the bearer, would attend them on any day they should appoint, with her coach, to conduct them to her; but that, for particular reasons, she was obliged to conceal from them the names of persons, or any description of the place of her residence. After a short consultation, the desire of seeing their old acquaintance, whom they had given over, conceiving she had met with some fatal accident, joined to the enchanting account she had given of herself, engaged them to consent, and in a few days Mr. Herby's servant conducted them safe in his coach to his house. Great preparations had been made for their reception; all the apartments were thrown open; the most costly furniture was displayed; jewels, and valuable curiosities were carelessly placed in the different rooms; and every art made use of that could serve to convey the idea of immense riches. The sempstress herself was dressed magnificently, and seemed to be covered with diamonds. The three girls, who perhaps had never seen any thing finer than their shops, were thunderstruck; envy, it is probable, succeeded to admiration, and doubtless they secretly cursed their own hard fortune; but the sempstress did not suffer them to give way to these reflections longer than was necessary for their design. After a superb entertainment, at which she presided, and during the course of which Mr. Herby treated her with every mark of affection, and then with uncommon politeness purposely withdrew; she told the girls—that she should be very happy if they would consent to be partners with her

in her good fortune; that she had sent for them with that view; and that they had only to signify their assent to become as absolute mistresses of the house, and all the riches they saw in it, as herself. She then expatiated on the amiable qualities of Mr. Herby, who in fact was a well-made, genteel man. At this instant he returned enforcing the lady's arguments by a thousand civilities and some rich presents; he made them promise to take the first opportunity of eloping from their friends, and sent them back under the conduct of the same servant, who was provided with money, and ordered to attend their orders till their flight was accomplished.

By such sort of stratagems he gained in the end eight more, and he made their bondage so agreeable, that they wished it might never end. It may be imagined, he must be very rich to be able to support the expences of such an extravagant household, for he was now become the father of twelve girls; but besides this, he was obliged to provide for their relations, owing to a very singular accident.

One of his mistresses grew extremely uneasy in her retreat; and such was the generosity of his temper, that he could not bear to see any of them unhappy:—she told him she could not support life any longer without seeing her father and mother, whom she knew must be inconsolable for her absence. She urged this matter with such pressing intreaties and tears, that as he durst not let her go home to them, he at last resolved to send for them to his house, and to observe the same conduct with respect to them, as he had done when he first received the three girls whom his sempstress had invited.—The same servant was sent on this commission; and the parents of the girl, overjoyed to receive a letter from their absent daughter, readily consented to accept the invitation. The coachman had orders to keep them a long time on the road, to take all the bye-ways he could find to the house, and not to take them up till the dusk of the evening. In the letter their daughter enjoined them to be secret and discreet, and assured them her fortune was made beyond expectation. All these precautions being taken, the good people, who were rather of the lower

class of citizens, appointed the evening for making this extraordinary visit; and Mr. Herby promised himself much pleasure from the confusion and surprize of our citizens.—To add to the magnificence of the apartments, prepared as before described, they were elegantly illuminated with wax-candles, eleven of the girls were dressed very genteelly, and not without jewels. But as for their daughter, nothing could equal the splendour of her apparel; she almost sunk under the weight of her jewels, and was seated under a canopy in the largest apartment, with her companions standing on each side of her chair. In this manner she received her parents, who were led into the presence-chamber by Mr. Herby himself—who on this occasion appeared as master of the ceremonies. The Turkish servants were ranged in the anti-chamber to complete the scene, which succeeded beyond expectation. The old couple concluded they were in one of the royal palaces, and that their daughter had made a conquest of some prince of the house of Hanover.

Supper was served with the same profusion and magnificence; and when the guests were fully satisfied with the situation of their daughter, Mr. Herby made them a present of a purse of gold. Thus the evening passed very agreeably, and a little after midnight they took leave of their kind host, conformably to a condition mentioned in the letter. The father, however, was not so blinded by the elevation of his daughter, as not to perceive, that all this mystery could only be necessary in the case of a dishonourable connection; and concluded that his daughter was ruined. His suspicions determined him, if possible, to find out the place of her abode; and the night was not so obscure as to prevent his observing some particular marks on the road, and at the entrance into town, by which he thought he should be able to trace it the next day. But that he might not give any suspicion to Mr. Herby's servants, he and his wife quitted the coach in a careless manner in the streets, and walked home.

But the following day he succeeded so well, as to find his way out of town by the road he had entered, and pursuing his course to about the distance

he imagined the coach had carried him, making allowance for the turnings and windings the coachman had made, he arrived in the neighbourhood, at no great distance from Mr. Herby's house, where he learnt sufficient to confirm him in the opinion that it could be no other than the Turk, who was reputed to be so immensely rich, who had seduced and debauched his daughter.

With the cunning of the worldly-minded man he determined to bear the loss of his daughter's honour patiently, as an evil without remedy; and set about making an advantage to himself and family of this disaster.

He instantly wrote a menacing letter to Mr. Herby, accusing him as the ravisher of his daughter, and informing him that if he did not make him satisfaction for the injury he had done him, he would do himself justice by prosecuting him. The fear of being exposed, and an entire ignorance of the laws of England, made Mr. Herby immediately submit to gratify the avarice of the old man, who stipulated for a life-annuity for himself, his wife, and his daughter. This adventure unluckily transpiring through the jealousy, uneasiness, and discontent of the other girls, Mr. Herby, to quiet those fears which now interrupted his domestic happiness, compromised matters in a pecuniary way with the relations of all his mistresses; so that he had now twelve young women and their relations to provide for. The tranquillity of his little seraglio being thus restored, he pursued his usual course of life for some time, without any appearance of future molestation.

But on the 3th of May, 1734, one of the valets going into his master's chamber at his usual hour of rising, found in his bed only a bloody carcase, without a head; and the girl who slept with him that night lay murdered by his side, with a number of wounds, which appeared to be the stabs of a poignard. The screams of the valet soon brought the other women and domestics into the apartment, whose horrid consternation cannot be expressed. Two of the Turkish domestics were missing, and never heard of afterwards; all the cabinets were

found broke open, and the treasures carried away, not so much as a jewel being left but what was in the women's apartments, and had been long since given to them.

As soon as the officers of justice arrived, the following circumstances were given in evidence to the jury who sat on the bodies, by the Turks who came with their late master to England.

The real name of the pretended Mr. Herby was Cidal Achmet, a native of Constantinople, of illustrious descent, and in high favour with the grand signior; but having aspired to marry the grand signior's only daughter, the Sultan banished him, and gave her to the old Bashaw of Cairo. But the Sultana having conceived a reciprocal passion for Achmet, held a secret correspondence with him, and at last found means to escape from her husband, taking with her, immense treasures belonging to her father and the Bashaw; fortune favoured their retreat to Venice, where they lived very happily, till the Sultana died, when Achmet fearing he was too near the grand signior, and having no longer a mediatrix to appease his vengeance, embarked with his effects in a vessel bound for London.

The carrying off the head, and the absconding of the Turks, left no room to doubt, that the grand signior and the Bashaw had perpetrated this murder by their agents; and on making further enquiries, some Turks, merchants in London, gave the government intelligence that three Turks had arrived about a month before this event, with whom they had several conversations; that all they could gather from them, was, that they were charged with an important secret commission, and they were very careful to procure a list on their arrival of all the Turks in London: it was found out that these three men, in company with two others, left England, and embarked for Holland the very day Achmet was found murdered. And as it is the practice of the Turks to pursue a meditated vengeance for twenty years or more, till they have executed it, the public were fully convinced, that the grand signior was at the bottom of this bloody affair.

The jury could do no more but bring in their verdict wilful murder against persons unknown.

The poor girls were sent home to their friends; and the remaining effects confiscated to the sheriffs of the county.

Thus ended a most tragical event, which has escaped the notice of our historians.

Some Account of the INDIAN Theology.

KART A is the name of the supreme and only sovereign God, who is called the most subtle of elements, infinitely perfect, eternal, independent, the power who contains and supports the universe, the soul that produces every thing, is self-existent, diffused every where, and the principle of all things.

In order to manifest himself, Karta has diffused his substance throughout the universe, and has of it composed the marvels of the fourteen worlds. Afterwards he appeared under a human form called Schiva; but as Schiva wanted to remove into the heaven of the most perfect beings called Sattialogom, Karta, in order to remain among men, transformed himself into three other human figures, named Roudra or Iswaren, Vischnou and Brouma or Brahma. These three persons, being filled with intelligence, constitute but one God, who is Karta, who for them (and perhaps by them) performs every thing. Brahma is the Creator, and presides over the transmigration of souls. Vischnou supports and regulates the worlds. Roudra destroys and puts an end to all. Schiva, who is the fullness of Karta, rules with Karta over all.

According to other Brachman divines, Karta having assumed a human figure of a thousand heads, two thousand arms, and two thousand legs, brought forth Vischnou at his stomach, and gave him the power of preserving every thing; Brahma proceeded from the navel of Vischnou, and had the power of creating; Roudra sprung from the visage of Brahma, and received the power of destroying.

Some will have it that Karta made Brahma and Latchimi spring from one egg, Vischnou and Parvati from another, Roudra and Sarasouvadi from a

third, that afterwards he gave to these three gods these three goddesses, formed of his substance, with the characteristic attributes already mentioned; that Sarasouvadi is the goddess of science, Latchimi the goddess of wealth, and Parvati of carnal pleasure. Karta placed these three gods in a rock of silver, called Nahoumerou, and filled with every delight, where they produced an infinity of other gods to govern the universe. As these three gods were only to reign for a certain number of years or ages, because finite in their nature, Karta, as an indemnification, removed them into the Sattialogom, in order to enjoy complete happiness. He afterwards re-produced them several times at the regenerations of the worlds; so that in the silver rock and Sattialogom there are several of these Vischnous, Brahmas and Roudras. The time is likewise fixed for the duration of the reign of the other chiefs of the world; after the expiration of which, they will pass, according to their respective merits, into the Sattialogom; or else they will rise up again in Pulhoam under some particular figure, in order to do penance for their sins. Karta has frequently destroyed all the worlds, and we are at the fourth age. After this destruction all the souls in the Sattialogom return into the first substance of Karta, and constitute for ever after the same thing. All other souls are thrust into Memai, a distinct world full of darkness, where there is neither pain nor pleasure, and where they wait for the re-production of a new world. When Karta effects this re-production; he likewise re-produces the gods of the Nahoumerou, or Paravadam; and those who are in hell or Memai, go according to their merits to inhabit or govern the other worlds.

The Brahmas believe the material world to be eternal, and without beginning; a pure spirit being to them inconceivable. Most of them admit of destiny or predestination with regard to good and evil. Every thing from a man's birth is fore-ordained by Brahma, who sends to hell or paradise or into bodies souls according to their deserts. They count three millions three hundred thousand gods great and small subordinate to Karta. They think

think the soul of divine origin; and they have neither atheist, nor a man who does not believe in a future state. Only their resurrection goes by the name of re-production.

What distinguishes the different casts or sects of Indians, is the worship they pay to these secondary gods, Brahma, Vitchnou and Roudra. The worship of the last, who is honoured under the figure of the *lingam*, or the male and female parts of generation in union, is most extensive. These being the symbol of nature, always fruitful and productive, gave rise to *linganism*. Some of the different sects hold one another in such detestation that they keep at a distance as if they had the plague, and the impurity and pollution supposed to be communicated by the touch makes them sometimes murder one another in revenge. Yet the only difference in their religious system frequently is no more than this, that one eats, and the other does not, a bit of cow's flesh.

A curious Story of a Parisian Opera Girl, and another of a Parisian Husband.

WE have at Paris, my friend, our Fanny Murrays, and Kitty Fishers, who ruin their cullies and afflict virtuous women; and the creatures are not only suffered, but also enjoy a particular protection, if they only deign to enlist themselves in some of the public entertainments. Their houses and their expences are in so high a style, that a very great, powerful, and wealthy nobleman, having heard the conditions that were offered him by her with whom he had a fancy to treat, withdrew, telling her, that he was not rich enough to be her gallant. There is one of them who surpasses all that we have heard of the *Lais*, the Phrynes, and the Floras. She could, like Rhodope, have built pyramids with the profits of her lewdness, if pyramids had been the mode in France. You will observe, that here, as with us, these women are sprung from the dregs of the people; and on all accounts are objects of contempt. One of them, who was endeavouring to ruin a Financier, and whom his incredible wealth had emboldened to despise the protection of the opera, was one day abandoned to the interest

of the relations of her cully, who prevailed on the Lieutenant General of the Police of this capital to assist them with his authority to recover some of the spoils of their kinsman. The magistrate summoned the girl to appear before him. She thought it very amazing, that, a woman of her rank should be treated like a common strumpet. However, as she suspected that the managers of the opera would leave her to extricate herself from this difficulty as well as she could, she threw herself in dishabille into her magnificent chariot, and condescended to appear before the magistrate. The audience was not long; she allowed that she had cost her Financier several millions, and that, besides jewels and furniture of all kinds, she had still in her pocket-book seven hundred thousand livres of his in good notes. Take your choice, said the judge to her; either to restore those notes to the family, who give you up the rest, or to make your retreat to the hospital? The jade had the assurance to complain of injustice, and to alledge her privilege. The magistrate was inflexible, and on her refusal, he ordered the magnificent chariot to convey the lady to the hospital. "I know, she said with haughtiness, how far your authority extends; you must, in spite of you, restore me my liberty in three months, and 700000 livres are a sufficient recompence for a retreat of three months: she departed. She alighted at the hospital, she supported with heroic courage the change of her rich India gown for a coarse stuff sack: but her firmness forsook her at the sight of some dreadful scissars which were to cut off her hair, "stop," she cried, "rather than consent to lose my hair, I would turn all the notes of the farms into curling papers." She threw down her pocket-book, resumed her gown, re-entered her chariot, returned to her house, and in the evening received the visits and applauses of lovers of the highest rank.

Marriage is too little encouraged here; because they, who are called men of gallantry, are little ashamed of being false to it. A man, who blushing at his infidelity to a beautiful and virtuous wife, should think himself obliged to withdraw with the criminal object of his attachment,

ment,

ment, and to go and conceal his libertinism and bad taste among foreigners would be charged with weakness or folly. "London, you say, still talks of the Lord your relation, and you think that twenty years of wisdom will scarce be sufficient to obtain his pardon." This does honour to our morals, I love to discover in us some real superiority over our neighbours. A man of quality here insults his wife with still more gaiety, and, at most, serves only for the talk of a day. My lady uses reprisals, and my lord allows, that these are things of course. I know a man of the first rank, who entered his wife's chamber, some time ago, without warning. He found her at an employment, at which she could have wished to have been seen by any one else rather than by him. She was confused, and expressed her confusion, but he interrupted her with warmth: "Yes, said he, you ought to be ashamed of your imprudence. What would have become of you in the world, if any one else had thus surprised you?" This said, he withdrew, carefully shutting the door after him.

The late Duke of N. seems to have set the example to this Frenchman. Having caught Sir George Yonge, a very talkative member in the opposition, at his devotions one morning with his D--, he treated him with great civility, and by the threats of a prosecution brought him over to the court party. Instead of being angry, he rejoiced at the opportunity of gaining a voice in the lower house—Don't be disturbed, my lady; it is a cold morning. He drew the curtains, and retired.

People of fashion think this relaxation of the strongest tie of men in society, of no consequence. Men of sense do not scruple to presage from it the total ruin of the nation, if things are neglected to be re-established on the basis of morals and religion; if time is given for the contagion to spread, as that of luxury and parade has done, among all ranks of people. The system of dissipation, of which young Miss has an idea given her before marriage, or which young Madam does not delay after the ceremony to adopt, gives these solid men, who have antiquated notions of it, a

distaste for the nuptial union. They devote themselves to celibacy, and the finest branches of the French nobility thus wither and die without leaving shoots. Paternal tenderness consumes away, and among others it is extinguished in proportion as the paternity becomes doubtful; and domestic economy, ambition, the love of glory, having no longer their strong hold on the heart of a man of birth, he gives himself up to all his pleasure, to all his tastes, without reserve; he considers as a weakness the idea of imposing on himself the least constraint through a regard for his posterity; he thinks himself born only for enjoyment, he deems it a favour to his heirs to leave them any thing; he dies, as he has lived, in a total indifference about them.—For the contempt into which marriage is sunk in this capital, the two sexes, if I mistake not, are pretty nearly alike blameable. Monsieur is a man of fashion, engrossed by levity and all its attendants. Madam is devoured with curiosity about Paris, the court, and the world, of which she has heard so much said in her convent. Both of them, when they are alone together, have their minds elsewhere, and are mutually tired of each other. Left hatred should ensue, they tacitly agree not to meet. Both choose their separate company and connections; and soon they forget that they owe each other any thing more than complaisance. They entered into their union with no serious idea of its pains, of its pleasures, of their duties. They signed the contract as at a market, where both observed only their respective advantages. The husband thought that all was over, when he had received the fortune. The wife imagined that every thing was performed, when she saw her wardrobe, her jewels, and her equipage, such as had been promised her. The bridegroom's temper having very soon blazed forth, the young wife, whose heart is not of the party, disdains to be obliging, she is afraid of giving her sultan an advantage over her, by appearing susceptible of tenderness for his person. He who cannot be withheld from pleasure and amusement, seeks to divert and amuse himself abroad.—She thinks herself neglected, she studies to be revenged,

and the flatteries of some gallants by profession soon furnish her with means. The husband is persuaded that the deviations of his wife will justify his, and instead of being her censor, he sometimes goes so far as to be her accomplice.

The Monthly and Critical Reviews contrasted.

WE observed in our last Magazine that, for an obvious reason, it is no easy matter to find the same book criticized by both Reviews in the course of the same month; and we then proposed an improvement which is well worth their attention. Here is a new proof, that in such cases their sentiments clash.

The National Mirrour: Or a Series of Essays on the Affairs of the East-India Company, is a book lately published by Richardson and Urquhart; of which our mighty criticks speak thus.

The MONTHLY REVIEW.

The points here discussed are undoubtedly important matters; and accordingly they are here treated in no light or superficial manner. What he urges on the capital point of making our East-India possessions pay off the national debt and reduce our taxes, certainly deserves the attention of the public. The author discovers no want of knowledge.

The CRITICAL REVIEW.

The author labours to represent the power of the company, as dangerous to public liberty, and its origin even unconstitutional; insisting that the joint authority of king and parliament is insufficient for conveying a legal right to the privileges with which the company are invested. The first proposition seems to be too chimerical to deserve a refutation, and, upon the principle on which the second is founded, the author might deny with equal justice, the validity of the most salutary statute in the nation. We can consider these essays only as the wanton effusions of an intemperate opposition to government.

* According to very good information we can assure the public, that Baron Dimsdale now follows in this particular the practice of Mr. Blake, and not that recommended in his treatise.

The Critical Reviewers reviewed.

Prompt to impose, and fond to dogmatize,
Cavil they may, but never criticize.

POPE.

THE opinions of these Reviewers have long been considered as the crude effusions of ignorance, partiality and prejudice. The lucubrations of each succeeding month, add to the notoriety of their former character, and are sure to evince, either their want of understanding or of integrity. Their publications are disgraceful to literature: and their opinions a sarcasm on the very name of criticism. I am led to these reflections by the character given of Mr. Blake's Letter to a Surgeon on inoculation, in the Critical Review for November. As the first part of their observation, if there be any meaning in it, is written in terms of approbation, I shall confine my remarks to the latter part, which appears to be diametrically opposite to the general opinion, as well as to matter of fact. They say, "This pamphlet contains a good practical account of the new method of inoculation; but we do not meet with any material observations in it, that are not to be found in Baron Dimsdale's treatise on that subject." I know not what may be deemed "material observations" by a captious Reviewer; but I believe, that every person conversant in the practice of inoculation would answer the following questions in the affirmative. Are not the preparation and treatment of sucking infants (on which Dr. Dimsdale is entirely silent) material in the practice of inoculation? Is not a ten days preparation, previous to the operation (which Dr. Dimsdale in the later editions of his pamphlet still directs) an unnecessary punishment to the patient, and consequently its abolition material? Are not the letter-writer's observations, relative to accumulation of infection, instructive and material? Are not his observations relative to the use of his extinguishing pill in the eruptive fever, material? Are not his detection and proofs of the fallacy of

the

the Doctor's prognostic in cases of a slow progress of infection, *material*? Are not his discovery and proofs, that those persons are susceptible of the real small-pox, of whom Dr. Dimsdale has positively pronounced (and all other practitioners have believed) that they are secure from a future infection of the disease,——*material* even to the

lives of our fellow-creatures? Were I to dwell upon every *material* observation and improvement in the letter in question, I should exceed the limits of a letter in a Magazine. The foregoing will suffice; to give a just idea of the degree of credit that is due to a Critical Reviewer.

Y. Z.



The Lamentations of Jeremiah, being a Dialogue between Mungo and his Mistress.

Mrs. **A** H! Jerry, what will now become of me? You see in what all your promises have ended! my expected settlement is gone, gone for ever—*weeping*.

Mungo. A murrain seize that one-eyed Polypheme, Colonel Barré, who gave me the title of Mungo! To that inauspicious name I owe all this misfortune.

Mrs. And what think you of your friend Junius? Have you no good wishes to bestow upon him?

Mungo. Yes, he is another of my mortal enemies. What illiberal narrow-minded men the *patriots* of Ireland are—to be influenced by the aspersions of such defamers! You know;

my dear, that no man can act with more strict honour than your humble servant. I am sure I have served my country with assiduity by night and by day? and the least return she could have made would have been a provision for you and these sweet babes. Ah! ye iron-hearted Hibernians, how could you be so cruel. I declare the sight of the dear helpless creature makes me melt.

Mrs. For shame, for shame! Jerry. What stream is that? Are you going to make a *new river head*? I protest I never believed till now that a tailor was but the ninth part of a man. Will you are worse than a boy newly bred. The London Magazine will certainly expose you in that attitude to the publick, and give you and your whole family in a wooden cut

S WEE

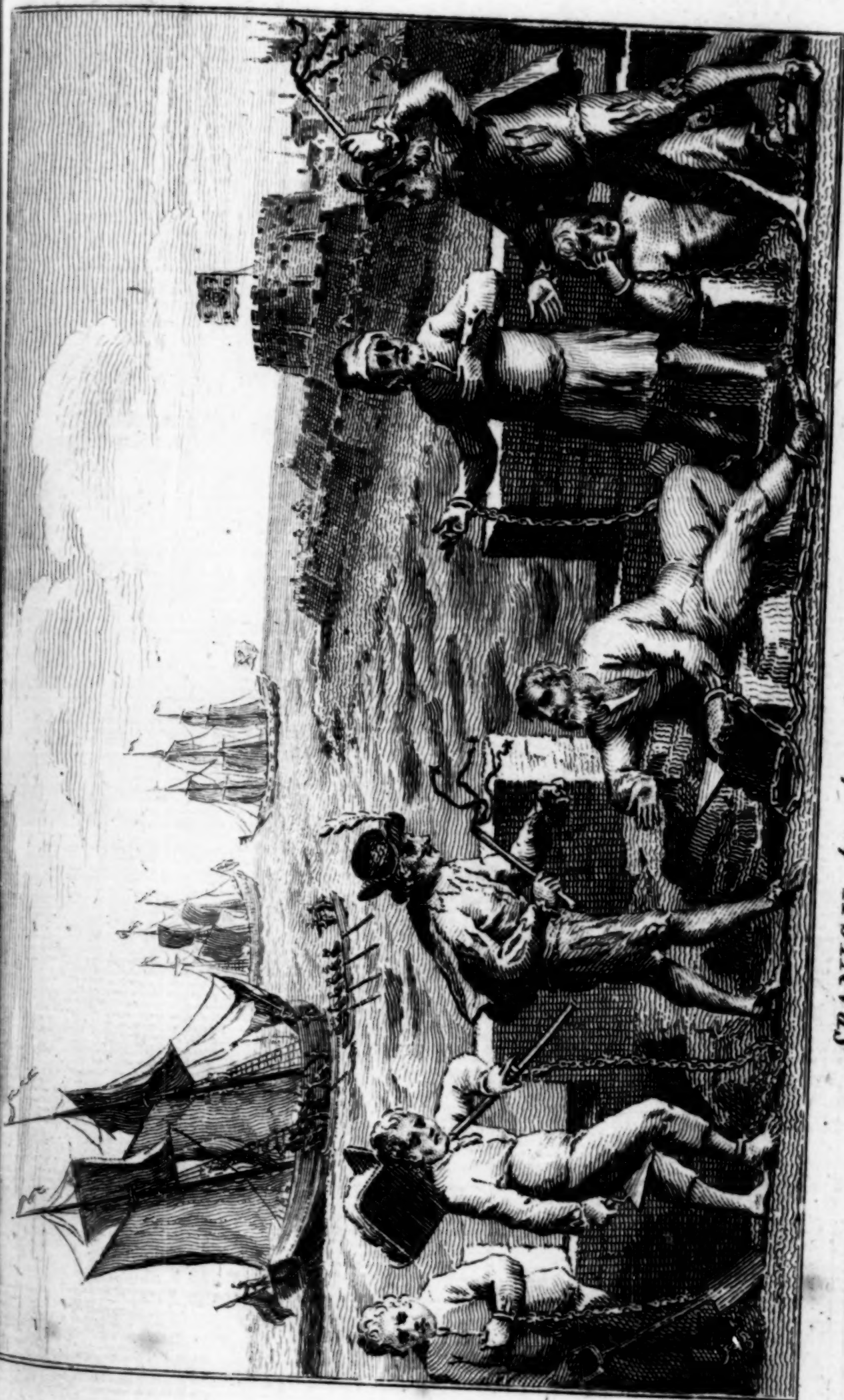
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SPANISH treatment at CARTHAGENA.



SWEET PASSION OF



LES PLAISIRS DE



All round.

I. The first and third couple contre tems to the centre, both hands to again rigadoon step.

II. First and third couple change partners and turn round, the second whole round and then quit hands.

III. First and third couple half round to the left, take their own partner.

IV. First and third couple, being facing their partners, give both hater his right arm and pushes her in her proper place, the second and fourth under his right arm, then goes backwards by contre tems and turns the

SWEET PASSION OF LOVE. F



LES PLAISIRS DE TOOTING



All round.

I. The first and third couple contre tems to the centre, both hands to the left, a half round, again rigadon step.

II. First and third couple change partners and turn round, the second and fourth couple then whole round and then quit hands.

III. First and third couple half round to the left, take their own partners and turn to the right.

IV. First and third couple, being facing their partners, give both hands and half pouffet the his right arm and pushes her in her proper place, the second and fourth couple, the gentleman under his right arm, then goes backwards by contre tems and turns the ladies under their right

FOR THE GERMAN FLUTE.



ING. A NEW COTILLON.



of round, mean time the second and fourth couple chassè and separate to right and left, then back
 couple then return to the centre, half round to the left, the second and fourth couple both hands, a
 to the right and left between the second and fourth couple, both balance and rigadon step.
 ouffet the ladies backwards, the gentleman then lets go the lady's left hand and turns her under
 gentleman gives his right hand to the lady and contre tems back and changes places by turning her
 their right arm and pushes them in their places.

SWEET PASSION

ANDANTE



II.

The frost nips the buds, and the rose cannot blow,
From youth that is frost-nip'd no raptures can flow,
Elysium to him but a desert will prove,
What's life without passion, sweet passion of love.

SION OF LOVE.

No. III.

The musical score is written on ten staves. The first staff begins with a treble clef and a key signature of one flat (B-flat). The melody is composed of eighth and sixteenth notes, with some triplets indicated by a 'tr.' above the staff. The second staff continues the melody, featuring a treble clef and a key signature of one flat. The third staff introduces the lyrics: 'warm'd, You waken'd my passi - ons, my senses have charm'd, You'. The fourth staff continues the melody, with a treble clef and a key signature of one flat. The fifth staff continues the melody, with a treble clef and a key signature of one flat. The sixth staff continues the melody, with a treble clef and a key signature of one flat. The seventh staff continues the melody, with a treble clef and a key signature of one flat. The eighth staff continues the melody, with a treble clef and a key signature of one flat. The ninth staff continues the melody, with a treble clef and a key signature of one flat. The tenth staff continues the melody, with a treble clef and a key signature of one flat.

warm'd, You waken'd my passi - ons, my senses have charm'd, You

m'd. Sy. In

without passion, sweet pas - sion of love; sweet passion, sweet passion, sweet

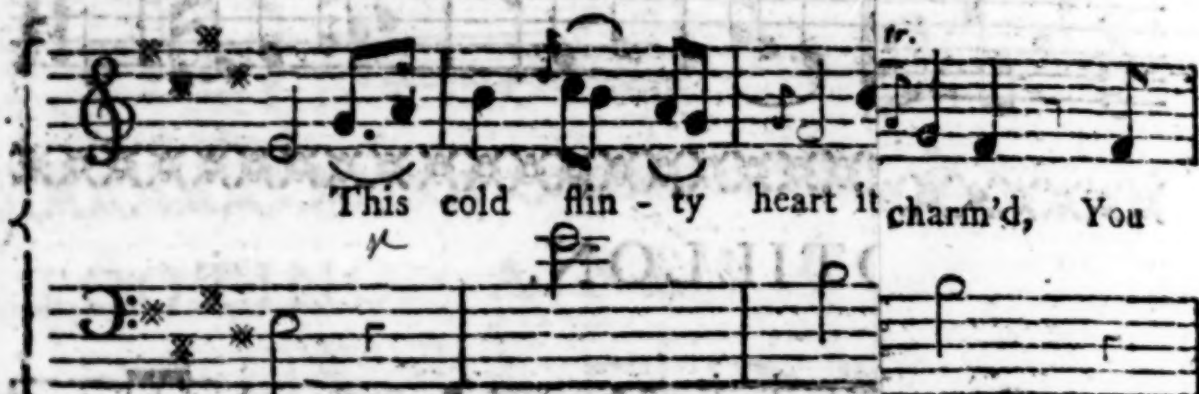
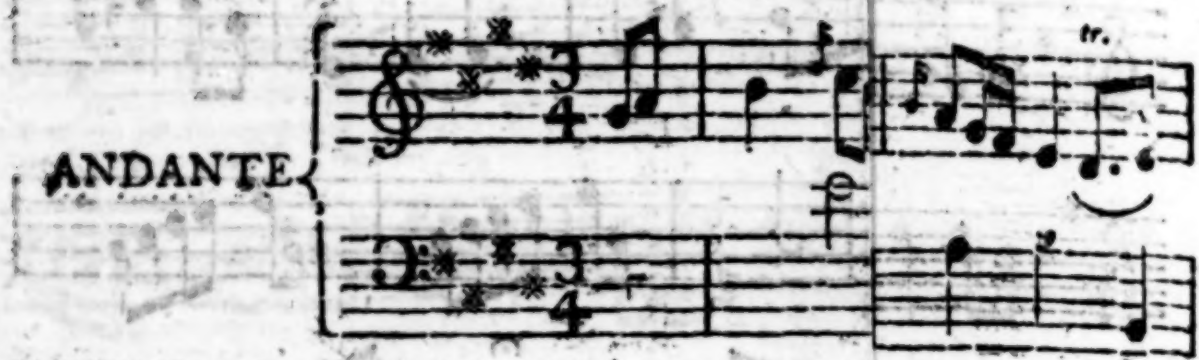
III.

The spring shou'd be warm, the young season be gay,
Her birds and her flow'rets make blithsome sweet May;
Love blesses the cottage and sings thro' the grove,
What's life without passion, sweet passion of love,

S W E E

No. III.

ANDANTE



II.

The frost nips the buds, and the gay,
From youth that is frost-nip'd no May;
Elysium to him but a desert will p
What's life without passion, sweet

AN IMPARTIAL REVIEW of NEW PUBLICATIONS.

ARTICLE I.

SELECT *Essays from the Encyclopedy.*
Leacroft.

The celebrated authors to whom these essays are attributed, would naturally make us expect something uncommon. Whether it be owing to want of merit in the original work, or of judgment in the selection, certain it is, that we here meet with nothing above the reach of a common writer. However useful and ornamental these articles may prove in a dictionary, they make no great figure in a separate volume. This is, no doubt, partly owing to the lameness of the translation, in which the spirit and elegance of the original has totally evaporated. But where is the wonder? This version frequently gives us neither sense nor English—Mark how these Latin words are rendered!

Possunt quia posse videntur,

“They can, because they seem they can.” Again, see how he puts *amenable* for *liable*. “We must not uncharitably believe but that such a spirit may be *amenable* to a change. &c.” It would be endless to point out every slip of this nature. Besides such palpable marks of ignorance of English, the translator discovers almost in every page an unpardonable slovenliness of style, and a woe-ful lack of erudition. Booksellers should for their own interest be more careful whom they employ.

II. *The Natural History of the Human Teeth, explaining their Structure, Use, Formation, Growth and Diseases.* By John Hunter, F. R. S. Johnson.

The name of the author, and the care and expence which this work evidently discovers, must be sufficient recommendations of it to the public.

III. *Letters on the French Nation.* By Sir Robert Talbot, who attended the Duke of Bedford to Paris in 1762. Translated from the French, 2 vols. White.

Whether these letters be or be not written by a Sir Robert Talbot; whether they be or be not translated from the French, are questions not very material to the public. The chief point which concerns them is, whether the letters convey amusement or instruction; and here, we can take upon us to say, they will meet with much of the latter, and a little of the former. The writer seems to have a turn for political observation and reflection. Make but a due allowance for his predilection for monarchical principles, and you will find these two volumes no bad picture of the present state of France.

IV. *Amelia, a musical Entertainment.* As it is acted at Covent Garden.

This is a bagatelle, of which the dialogue, like most of our musical pieces, seems cal-

culated for introducing the songs. In that light it is tolerable; sinking neither to mean-ness, nor soaring above mediocrity.

V. *Zobeide, a Tragedy, as it is acted at the Theatre-Royal, Covent-Garden.*

This piece is sentimental, but not pathetic. The incidents are too few to keep the attention awake, or to leave room for what the French call the *jeu de theatre*; accordingly it has languished and died away in the representation. Mrs. Yates, to whom, as we are told, a present of it was made by the author, and who was its principal support, fell into a political indisposition. Peace therefore be to its manes—*De mortuis nil nisi bonum.*

VI. *A Tour in Scotland.* By Thomas Pennant. Chester, printed by John Monk.

The author of this tour, who also favoured the publick with *British Zoology*, is a candid and judicious traveller; his remarks may be read with pleasure and profit.

VII. *The Life of Lamenther. A true History written by herself.*

If this be a real history, and we are positively assured it is, it will excite the attention of those who delight in dismal scenes. Lamenther's father, who is the hero of the tale, is more unnatural and cruel than Mrs. Brownrig. The style is by no means the object of criticism; but we believe the author to be that of charity: we therefore recommend her and her book to the good-nature and benevolence of the publick.

VIII. *The Fourth and fifth Books of the History of King Henry II.* By George Lord Littleton 2 vols 4to.

These two volumes complete the plan of Lord Littleton. It will be needless for us to say any thing of the merit of the work; the public is already fully apprized of it. Here the reader will find the same spirit, the same scrupulous exactness, and anxious attention to truth, that distinguished the former part.

IX. *The Theatres: A Poetical Dissection.* By Nicholas Nipcloie, Bart. Bell.

This piece, which is intended as a satire upon the gentlemen of the two theatres, and particularly upon the managers, discovers much virulence and rancour; but not so much wit or ingenuity. Junius would call it the fury of poetry without the inspiration. It is not that we accuse the author of want of parts. With more time and application he can do better.

X. *The Life of Servetus, the Anti-Trinitarian.* Translated from the French of Jacques George de Chauffpié, by James Yair, Minister of the Scotch Church at Campvere.

The intention of the translator of this piece seems to have been, to vindicate the apostle of presbyterianism from the charge

of persecution. Many have thought it an instance of great inconsistency in Calvin, who himself set up for a reformer and for liberty of conscience, to become the accuser and destroyer of another man for assuming the same right. Monsieur Chauffiè, who, we suppose was a Calvinist, has endeavoured to wipe off many aspersions which disgraced the memory of Calvin. In many instances he has succeeded; but the most essential of all will remain an eternal blemish upon the character of that apostle.

Calvin was, by his own confession, the author of apprehending Servetus. It is very immaterial whether he instigated his cook or a journeyman-parson to act the part of accuser, since he was the prime mover of the whole machine, and might be at that time considered as the father-confessor, or rather the pope, of Geneva. In spiritual matters he did *what seemed good unto him*. To what purpose then are we told, that his conduct did not proceed from any private resentment or hatred to the individual for his pride and petulance; but from a disinterested regard to the welfare of the public, and to the purity of religion? The question is, whether Calvin was a man of enlarged notions and of a tolerating spirit? Did he allow others that liberty of conscience, for which he contended in his disputes with the Roman Catholic divines? Servetus was no atheist, nor deist. He even acknowledged the trinity. The only difference between him and Calvin was, that he explained the mystery one way, and Calvin another. Servetus being a physician, had a strong propensity to solve every difficulty according to some physical system. His explanations were, indeed, sometimes not a little prophane. He compared the doctrine of the trinity, such as it was taught by most doctors, to Cerberus, the triple-headed porter of the infernal regions. His notions were in general crude and unconnected. The wildness and confusion of his ideas would lead us to think him at certain times insane. Ought not such a circumstance to have excited the presbyterian apostle's pity and compassion, rather than his religious zeal and theological rancour?

But, as an excuse, we are told by this writer, that Calvin only yielded to the prejudices of his time, and held, that heresy in the fundamental articles of christianity, was to be punished with fire and faggot, coinciding in this particular with the Roman catholics, whose communion he had left. Surely this is reformation with a vengeance! For who is to determine what is a fundamental article of christianity? If you admit a latitude of thinking in one point, you must admit it in all, because the most trivial tenet will to some appear important; and the fiercest contentions generally arise about matters of no moment. The most valuable parts of most religions are the great prin-

ciples of morality which they inculcate. About these there is no dispute. Divines stir up men to cut one another's throats only about a surplice, a white or black elephant's tooth, or some incomprehensible doctrine. The spirit of persecution was the most detestable heresy in the church, which Calvin had abandoned. What apology then is that, which makes him deliberately embrace it as one of the corner-stones upon which he was to build his new Jerusalem? Suppose it had been a part of the Genevese creed in his time to burn all the catholics or Jews that they could get into their hands; would their blindness and barbarity excuse the acquiescence of Calvin in such a monstrous doctrine? His character would have been much more abominable than that of his fellow-citizens, as his lights were greater, and as he preached reformation. Had the rest of Christendom become disciples of Servetus, it is evident, that he would have taken this course, had it been in his power. Need we say more to expose this tenet of Calvin? Whoever desires to see it fully exposed, has only to read this Life of Servetus. Though the writer seems to favour Calvin, the notes will sufficiently convince any judicious and unprejudiced man that he is inexcusable.

Servetus was apprehended for blasphemy, as it was called, at Vienne, and after his escape condemned and burnt in effigy. In his flight he was arrested by Calvin at Geneva. The people of Vienne sent a deputation to return him and the republic thanks. Servetus was asked, whether he chose to be sent back to Vienne to be consumed at a slow fire, or to submit to the judicature of Geneva. It is not surprising that he chose the latter alternative, and refused, after his condemnation, to name any of his creditors in France; a generous perseverance, which saved his friends from danger, and kept his forfeited effects from his bloody enemies. Notwithstanding all the reveries of this unfortunate man, he understood the circulation of the blood, as any one may see by consulting this book. In order to show the iniquity and ignorance of his judges we shall give two extracts, first his request to the council of Geneva, and then a short account of the trial of a witch in that city.

"This request humbly shows, Michael Servetus accused, laying it down as a certain fact, that this is a new invention. The Apostles, the Disciples, and the antient church, had no notion of making a criminal process for any doctrine of the Scripture, or any questions arising from it; which is evident in the first place, from the 18th and 19th chapters of the Acts of the Apostles, where such accusers were dismissed and sent back to the churches, when there was no other crime but questions about religion. In like manner in the time of the Emperor Constantine the Great, when there were the gross heresies

of the Arians, and criminal accusations both against Athanasius and Arius; the said Emperor by his council and the council of all the Churches, decreed, that according to the ancient doctrine, such accusations could not take place not even in the case of such a heretick as Arius was; but that all their disputes should be decided by the churches, and there it was where they should either be convinced or condemned; and if they could not be gained by repentance, they should be banished. Which punishment has been always observed in the ancient church against hereticks, as is proved by a thousand other histories and authorities of the doctors. Wherefore, my lords, agreeable to the doctrine of the apostles and disciples, who never allowed of any such accusations, and according to the doctrine of the ancient church, wherein such accusations were never admitted; the said suppliant prays, that he may be dismissed from the criminal accusation.

Secondly, my lords, he begs you will consider that he has committed no offence, neither in your territories, nor any where else; that he has neither been seditious nor turbulent; for the questions relating to him are difficult, and ought to be put into the hands of learned men. And that all the time he has been in Germany, he never spoke of these questions, but to Oecolampadius, Bucer, and Capito; and that in France he never mentioned them to any person. And besides, he has always reprov'd, and still reprov's the Anabaptists seditions against magistrates, and who want to make all things common. He therefore concludes, that he ought not to be detained under any criminal accusation, for having proposed some questions from the ancient doctors of the church, but without any sedition.

Thirdly, my lords, because he is a stranger, and does not know the customs of this country, nor in what manner he is to proceed in judgment, he humbly begs of you to grant him an advocate, who may speak for him. In doing so, you shall do well, and our Lord shall prosper your republick. Given in your city of Geneva, the 22d of August, 1553.

MICHAEL SERVETUS, of Villeneuve in his own cause."

This reasonable request was refused in every particular!

"Lately as I, (Mr. le Clerc,) was turning over our registers, there fell into my hands, the trial of one called Michelle Chauderon, who was hanged in 1652, for the crime of witchcraft; which put me in mind, that in one of your letters, sir, some time ago, you mentioned this crime, and desired (if I rightly remember,) I would examine it more particularly. I remember likewise, that I had begun a small collection about this affair.——But other occupations have

prevented my continuing this work. Having stopt there, I can't however but acquaint you with what I have collected by the reading of this trial I have mentioned. It appears to me, that this woman was a very good sort of woman, extremely pious, as much as these kind of people without learning can be; all her crime was, she was very credulous, and very timorous; when they put her in prison, she did not believe she was a witch, but upon certain accusations the most ridiculous in the world, she was visited by the doctors and surgeons, who declared, they found a mark upon her lip which was not natural: they were not however all of the same mind; and besides, they talked of it in a very doubtful manner: whereupon it was positively affirmed, that she was a witch, and that she had the devil's mark. They put her to the question: the poor credulous and timorous creature! was in great perplexity; she was persuaded from her infancy, that this mark is only to be found upon witches; and that her judges, who affirmed she had it, could not lye, being infallible: she began to believe, that what they told her might be very true; and recollecting all the occasions that had frightened her, she confessed, that one day, going to the country alone, she saw a shadow which terrified her much," (I don't doubt but this was her own shadow,) "which kissed her mouth, and that this was the devil, to whom she gave herself up." This confession making a noise in the city, two of the lower dregs of the people, her neighbours, had each a sick child, and accused her as the cause thereof: she owned that sometimes she had given them apples; and upon this she was condemned, as I have already said: this is the last execution of this nature in our city, and I hope there shall never be any such like again." Judges who were capable of condemning a poor creature upon such proofs, would certainly have had no mercy upon such a heretick as Servetus.

XI. *The frequented Village, a Poem.* By a Gentleman of the Middle Temple. Inscribed to Dr. Goldsmith.

This description of the country seems to have been written by one who never ventured beyond the sound of Bow bell: we cannot indeed but confess, that we have been much diverted with the perusal of his poem, but our author, we believe, little intended to make us laugh. His chief excellence lies in the *marvellous*, and of this we will select a few specimens for the entertainment of our readers.—And first, good people, take notice, that the noise of a brook, as it sports along, is either envy, a civil broil or hate.

"By envy, civil broils and hate forsook,
"All but the chiding of yon murr'ring brook,
"Which in meandering frolic sports along."

Next follows a discourse in public in which

Thomas

Thomas courts Susan; Susan calls the stars and moon to witness (the tear starting from her eye) that she has given her word to *Corydon*, or she would have given her hand to *Thomas*: next, be careful to observe how kissing and other pledges of love go forward in public.

"But see remoter plac'd a happier pair
 "Their vows and warmest wishes who declare,
 "Seal each profession with a balmy kiss,
 "And live to joys of more extatic bliss;"

And next turn your eyes to some of the company who are probably drinking to the health of this happy pair, and observe those also who, to gratify two senses at once, listen while they drink.

"Thus while they seem to interchange
 their souls, [the bowls;
 "Some quaff the generous liquor from
 "While some to music lend a greedy ear,
 "And taste the while pure draughts of
 sparkling beer."

Next observe a maid born in a star, whose timid texture is most bewitching charms, and who lives upon charity (and therefore idly, no doubt) in a cottage; but this gentleman's cottages, it should be remembered, are plentiful ones.

"So some soft maid in star malignant born,
 "A friendless orphan, destitute, forlorn,
 "Whose timid texture, most bewitching
 charms, [arms,
 "The vengeful breast of all its wrath dis-
 "Awhile unknown on bounty's hand she
 thrives, [ful lives."
 "And in some friendly cottage thank-

If our readers desire to see more of the *marvellous*, the perusal of THE FREQUENTED VILLAGE will gratify them; and the authors of THE DESERTED VILLAGE and THE VILLAGE OPPRESS'D will certainly be greatly mortified at seeing how far they fall short of the author of the present performance. H.

POETICAL ESSAYS.

PROLOGUE.

To the new Tragedy of ZOEIDE.

Written by Dr. GOLDSMITH.

Spoken by Mr. Quick.

IN these bold times, when learning's sons explore
 The distant climate and the savage shore;
 When wise *astronomers* to India steer,
 And quit for Venus, many a brighter here;
 While *botanists*, all cold to smiles and dimpling,
 Forfake the fair, and patiently—go simpling,
 Our bard into the general spirit enters,
 And fits his little frigate for adventures:
 With *Scythian* stores, and trinkets deeply laden,
 He this way steers his course, in hopes of trading—
 Yet ere he lands he's ordered me before,
 To make an observation on the shore.
 Where are we driven? Our reck'ning sure is lost!
 This seems a rocky and a dangerous coast.
 Lord, what sultry climate am I under!
 Yon ill-foreboding cloud seems big with thunder
 (upper gallery)
 There mangroves spread and larger than I've
 seen 'em— (pit.
 Here trees of stately size—and billing turtles
 in 'em— (balconies)
 Here ill-condition'd oranges abound— (stage)
 And apples (takes one up and tastes it) bitter
 apples strew the ground.
 The inhabitants are cannibals I fear,
 I heard a hissing—there are serpents here!

O there the people are—best keep my distance,
 Our captain (gentle natives) craves assistance;
 Our ship's well stor'd;—in yonder creek
 we've laid her,
 His honour is no mercenary trader.
 This is his first adventure, lend him aid,
 And we may chance to drive a thriving trade.
 His goods he hopes are prime, and brought
 from far,
 Equally fit for gallantry and war.
 What no reply to promises so ample?
 —I'd best step back—and order up a sample.

EPILOGUE.

By a FRIEND.

Spoken by Mrs. Yates.

WELL fare the man, peace to his gentle shade,
 The bard who first made epilogues a trade!
 Else what a life an actress must pursue,
 To weep and rave is all she'd have to do;
 Upon the stage with warring passions sore
 "To fret her hour, and then be heard no
 more."
 Now after poison, daggers, rage and death,
 We come again to take a little breath.
 Banter the pit, set belles and beaux at odds,
 And be a mere free-thinker to the Gods;
 Chat in familiar strains; the boxes maul;
 —An epilogue, like gaming—levels all,
 Not e'en poor bayes within must hope to be,
 Free from the lash:—His play he writ for me }
 'Tis true—and now my gratitude you'll see. }
 Why ramble with Voltaire to Eastern climes,
 To Scythian laws, and antiquated times?
 Change

Change but the names, his tragedy at best,
Slides into comedy and turns to jest.

As thus—A Statesmen, old, and out of
plate,

Sour, discontented, malice in his face,
In these blest days, we but suppose the case,
Flies from St. James's to his own estate,
To chew the wisdom of each past debate.
How in the house he made a glorious stir,
With, sir, I move—and, Mr. Speaker, sir,
Zobeid's daughter Sophy:—Oh! Farewel
For her each haunt that charms a modern
belle;

Adieu Almack's! Cornelly's! Masquerade!
Sweet Ranelagh! Vauxhall's enchanting
shade! [vast domain;
'Squire groom makes love; rich? Yes; a
Well-bred?—The Scythian of the plain!
The match is fix'd: deeds sign'd; the knot
is ty'd,

Down comes my lord in all his glitt'ring pride.
And will my angel chuse this rustic plan?
"O! cuckold him by all means; I'm your
man."

Now mark our author's ignorance of life!
What not elope? Is that a modish wife?
Poor fool! she doubts; says no; the hus-
band dies;

Now stab yourself, says Bayes; but nature cries
Hew! sacrifice myself for vain renown!
John put the horses to, and drive to town.

Yet, after all, excuse him, ladies, pray,
For sure there is some nature in his play.
A first attempt let no keen censure blight,
Hereafter he may soar a nobler flight;
Drop one kind tear; give him that slender
token;
And hither come 'till the Pantheon open."

HUNTING SONG.

BRIGHT dawns the day with rosy face,
That calls the hunters to the chace.
With musical horn
Salute the gay morn,
These jolly companions to cheer;
With enlivening sounds
Encourage your hounds
To rival the speed of the deer.

If you'd find out his lair,
To the wood-lands repair—
"Hark! hark! he's unharbour'd," they
cry;

Then fleet o'er the plain
We gallop amain—
All, all is a triumph of joy.

O'er heaths, hills, and woods,
Through forests and floods,
The stag flies as swift as the wind;
The welkin resounds,
With the cry of the hounds
That chaunt in a concert behind.

Adieu to old care,
Pale grief and despair;

Dec. 1771.

We ride in oblivion of fear;
Vexation and pain
We leave to the train,
Sad wretches that lag in the rear.

Lo the stag stands at bay!
The pack's at a stay—
Then eagerly seize on their prize;
The welkin resounds
With the chorus of hounds,
Shrill horns wind his knell, and he dies.

Mr. ANSTEY* to DAVID GARRICK,
Esq. on meeting him at a Friend's House.

THRO' ev'ry part, of Grief or Mirth,
To which the mimic stage gives birth,
I ne'er as yet with truth could tell,
Where most your various powers excel.
Sometimes, amidst the laughing scene,
Blith Comedy with jocund mien,
By you in livelier colours drest,
With transport clasp'd you to her breast;
As oft the *Bustin'd Muse* appear'd,
With awful brow her scepter rear'd;
Recounted all your laurels won,
And claim'd you for her darling son.
Thus each contending goddess strove,
And each the fairest garland wove.

But which fair nymph could justly boast
Her beauties had engag'd you most,
I doubted much; 'till, t'other day,
Kind fortune threw me in your way;
Where, 'midst the friendly joys that wait
† Philander's hospitable gate,
Freedom and genuine mirth I found
Sporting the jovial board around.
'Twas there with keen, tho' polish'd, jest,
You sat, a pleas'd and pleasing guest;
With social ease a part sustain'd,
More humorous far than e'er you feign'd.
"Take him, I cry'd, bright comic maid,
"In all your native charms array'd;
"No longer shall my doubts appear."
When Clio whisper'd in my ear,
"Go, bid it be no more disputed,
"For what his talents best are suited:
"In mimic characters alone
"Let others shine—but Garrick in his own."

Mr. GARRICK's Answer.

AS late at Comus' court I sat,
(Observe me well, I mean not that
Where Ribaldry in triumph sits,
Delighting lords, and 'squires, and cits;
But there, where mirth and taste combine,
And Rigby gives more wit than wine)
Suspended for a while the joke,
With rapture of your muse we spoke;
But all blam'd me, cry'd out, Oh! syc!
What, send to verse a prose reply?
My friend the † Colonel made th' attack,
And wicked Calvert clapp'd his back.
Nay, Pottenger, tho' low in feather,
And somewhat ruffled by the weather,
Would peck and crow; and madam Hale
Flew at my manners, tooth and nail.

4 M

What!

* The facetious author of *The New Bath Guide*. † Rigby. ‡ Hale.

What! send to Anstey such dull stuff?
 'Twas modesty, dear Hale; don't huff,
 Cou'd I but rhyme as much as you,
 And think that much as charming too,
 I'd write, and write again, I care not;
 But, as I feel, indeed I dare not.
 Then Cox let loose his silver tongue;
 O d—n it, David, you are wrong.
 While independent Plummer cry'd,
 He'd not vote-plump on either side.
 E'en Boon, who ne'er inclines to satire,
 With modest sense, and much good-nature,
 Cou'd not but say there was some blame;
 And sweet * Eliza blush'd the same.
 My wife look'd grave, but made it known
 The right to vex me was her own.
 Our landlord shook his sides and shoulders,
 Both at the scolded and the scolders;
 For that to him is always best,
 Which raises and supports the jest.
 No baited bear was e'er so worry'd;
 I took my hat, and home I hurry'd,
 Resolv'd, as well as I was able,
 To ask your pardon in a fable;
 The best excuse my prudence knows,
 For ans'ring your choice verse in prose.
 A monkey of the sprightly kind
 Could mock and mimic half mankind;
 Cou'd twist him to a thousand shapes;
 In short, a perfect jacksnapes.
 As once our mimic pug display'd
 His talents in the summer shade,
 By chance a nightingale was there,
 Well pleas'd the farce to see and hear.
 His joy began his notes to raise;
 He warbled forth the monkey's praise.
 Pug, too much flatter'd, thought it wrong,
 Not to return his thanks in song;
 And such a fit of squalling took him,
 Beasts, birds, and nightingale forsook him.
 An owl, who in a hole was dreaming,
 Was rais'd at once with all this screaming;
 Who-o-hoo! hoo! neighbour, curse your
 clatter;
 Zounds! are you murder'd? What's the
 matter?
 The monkey to his senses brought,
 And mast'ring what he had of thought,
 Told to the owl his silly tale,
 How he had fear'd the nightingale.
 Grave Madge began to roll her eyes,
 And being what she seem'd, most wise,
 Thus spoke—Thou empty-headed thing,
 Skip, grin, and chatter—never sing.
 Wou'd you, without a voice, or ear,
 Tune up, when Philomel is near?
 Nature her pleasure has made known,
 That nightingales shou'd sing alone.

TO MISS CAMPBELL.

Upon the Loss of a pair of Turtle Doves.
 By CAPT. THOMSON.

DAME Venus, the toast of the skies,
 Oft kiss'd by the captain of war,

Though the wife of a blacksmith she flies;
 With sweet silver doves to her car,
 But by some strange mishap or another,
 Some sly little urchin had stole 'em,
 "If Cu is the thief," cries the mother,
 I'll whip him, and handsomely maul him,
 But if they have stray'd, I'll reward,
 The mortal or god, that will tell,
 With a kiss;" and she scribbled a card,
 By the post,—down to earth and to hell,
 This see all the gods did inspire,
 It set all the men in a flame,
 To find them was all their desire,
 To kiss such a heavenly dame.
 Such an uproar sure never was seen,
 To take from her lips such a bounty,
 At every place they had been,
 And rummag'd through every county.
 At last the blind, small master Cu,
 Of hearts the sly comical warden,
 Found them snug in a cage down at Kew,
 In a sweet little bit of a garden.
 "What's more, says he, mother, I'll swear,
 Apollo serv'd you this fine trick;
 For Camilla he wanted a pair,
 But who'd let a poet go tick?
 "But she can so warble and play,
 There's nothing his godship refuses;
 All Helicon's under her sway,
 And she screws up her nose at the muses.
 "Her ear-ring she lost from her ear,
 And cry'd, Captain Phœbus, don't mind it!
 But he with some wenches did steer,
 And puzzl'd their noses to find it.
 "Is it she a pert minx makes this fuss,
 With her *forte piano* and music?
 What is she with her wit pray to us,
 Which makes e'en the people of Kew sick?
 "I would have the sweet miss have a care
 And know, that I thoroughly scorn her;
 I have satires in plenty to spare,
 For a poet I keep in a corner."
 With that in a vengeance she flies,
 To poor master Jove on his throne,
 Who since dinner had not op'd his eyes,
 And begun at the top of her tone.
 "Camilla, dear dad, is a thief,
 Or Apollo the master of senses:
 I'm bursting, dear father, with grief,
 I can't bear such monstrous offences.
 "Pray sir, hear your pitiful daughter,
 Tho' she's mistress of musick and sense;
 Shall she keep my doves since I've caught her,
 And flaunt it at Venus' expence?
 "Would not one little hobby avail,
 But Apollo must make himself busy,
 And risk both a halter and gaol,
 To please such a musical hussy?"

" Gods surely have little to do,
When they gallop to missies below;
Such fellows I'd teach who was who,
Nor let them return when they go!

" For such a diminutive flirt,
Shall I stay at home like a mopes;
Or trudge like a maid in the dirt,
While she where she pleases elopes?

" Not I, Mr. Jove, I declare,
Therefore tell me, sir, if it don't suit-ye,
Some justice I'll go to else where,
And try to move him with my beauty?"

" Dear daughter, cried Jove, pray be quiet,
Like angel Camilla doth play;
Then why should you make such a riot,
If with musick your doves love to stay?"

" Not a word, mighty judge, or I frown"—
So *Olympus* she left in a rage,
And bade little Cupid go down,
And open the door of her cage:

With pleasure the urchin obey'd,
His soft rosy wings he display'd,
The turtles forsook the sad maid,
Who warbles no more in the shade.

THE MONTHLY CHRONOLOGER.

FRIDAY, NOV. 19.

Extract of a Letter from a Clergyman at Carlisle.

YOU will, no doubt, hear from different parts many dismal accounts of the late violent rains; I believe that there is nothing so surprising, and were it not well attested, so incredible, as what happened at Solway Moss, which lies on the borders of Scotland, about ten miles north of Carlisle. A great part of this moss (at least above four hundred acres of it) began to swell by the inundation, and rose to such a height above the level, that at last it rolled forward like a torrent, and continued its course above a mile, sweeping along with it houses and trees, and every other thing in its way: it divided itself into islands of different extent from one to ten feet thickness, upon which were found hares, moor-game, &c.—All this may be supposed the effect of some brook or river swelling beyond its channel; but, what is most remarkable, there is no such thing running through or near it."

A letter from Sunderland, after mentioning the damage done there and in places adjacent, by the late floods, adds, "Thirty-four ships were wrecked on Sunderland bar, and on the North and South sands; many men and boys were drowned; three collieries are filled with water, one engine is entirely ruined, and others much damaged; and out of 700 keels belonging to the River Wear, not 100 are found in a state of safety. Nineteen houses were washed away at Brig-gate, Barnard Castle. Lord Ravensworth has sent 100 guineas to the churchwardens in Gateshead, to be distributed among the poor sufferers by the flood in the parish,

SATURDAY, 30.

This morning his royal highness the duke of Cumberland arrived at Windsor Lodge from France, but has not yet been at court.

Being St. Andrew's day, was held the university meeting of the Royal Society, at their house, in Crane-Court, Fleet-Street, when Sir Godfrey Copley's Gold Medal, given annually for the most esteemed paper in their transactions of the preceding year, was presented to the Hon. William Hamilton, envoy extraordinary to the court of Naples, he being present, for his curious enquiries concerning the Mounts Vesuvius and *Ætna*, and of Volcanos in general: after which the society proceeded to the election of a New council and officers for the year 1772; when, the ballots, appeared as follows:

Members retained of the Old Council.

James West, Esq. Mus. Brit. Cur. Hon. Daines Barrington, Mr. John Belchier, James Burrow, Esq. John Campbell, Esq. Samuel Dyer, Esq. Nevil Maskelyne, B. D. Astr. Roy. Matthew Maty, M. D. Charles Morton, M. D. Henry Owen, M. D. Samuel Wegg, Esq.

Members elected into the Council.

Gustavus Brander, Esq. Mus. Brit. Cur. Hon. Henry Cavendish, Wm. E. of Dartmouth, Sam. Horsley, L. L. B. Gowin Knight, M. B. Wm. Mountaine, Esq. Rob. Lowth, Ld. Bishop of Oxford, Sir Jn. Pringle, Bt. M. R. W. Watson, M. D. Mus. Brit. Cur. Dan. Wray, Esq. M. B. C.

And the officers for the ensuing year were,

James West, Esq. President,

Samuel Wegg, Esq. treasurer.

Ch. Morton and Mat. Maty, secretaries.

Afterward the society dined together at the Inner Temple Hall.

TUESDAY, DEC. 4.

This day the lord-mayor gave to his servants the key of the gallery in the Sessions-House at the Old-Bailey, which he had demanded of the sheriffs, at the same time assuring them, that if they behaved well they should not want for encouragement, nor during his mayoralty be deprived under any pretences of such perquisites as he thought were their just right; so that one side

of the sessions house is now lett out by the sword-bearer and his lordship's servants.

FRIDAY, 6.

Came on the trial of Levi Weil (the physician) Asher Weil, Jacob Lazarus, and Solomon Porter, who were capitally convicted for being concerned with others in the robbery and murder at Mrs. Hutchins's at Chelsea. Mrs. Hutchins deposed on the 11th of June, about eleven at night, hearing her cook-maid shriek out, and a great noise, she went to assist her servant and know what was the matter, when two men, whom, to the best of her knowledge, she believed to be Levi Weil (the doctor) and Hyam Lazarus, seized her, forced her into a chair, and turned her upper petticoat over her head, which she put down, when Hyam Lazarus clapped a pistol to her mouth, and swore he'd blow her brains out if she did not sit still; the doctor put the pistol aside with his hand, and again put her coat up; they then attempted to tie Mrs. Hutchins's feet, but on her promising not to move, they left her untied, and went up stairs; in a few minutes after, she heard a pistol go off, and something lumbering thrown down stairs, and immediately another pistol was fired; upon which she ran to the back door, hoping to get out, but there were two men guarding it, who cried out, "If you are not a friend, we'll blow your brains out."

Upon this she returned to her chair, and Levi Weil, Hyam Lazarus, and a man whom she described (but who is not taken) came down to her; Levi Weil took the buckles out of her shoes, and her watch, and they were about to search her pockets, which she begged them not to do, declaring she would give them something better worth their notice, when she went up stairs with them, and gave them a purse containing 61 guineas; they then came down, demanding where her plate was; she told them; they took it out of the cupboard, and on finding so little, a pistol was again clapped to her mouth, her lip cut with it, and her tooth loosened; when Levi Weil a second time put it aside, and thrust the person who presented it out of the room.

Soon after they left the house, when Joseph Slew, the deceased, came down in his shirt to ask Mrs. Hutchins how she did, declaring himself a dead man; his shirt was on fire where the ball had entered, which was close to the shoulder bone, and the blood was gushing out and ran down his legs in a continued stream; Mrs. Hutchins put out the fire on his shirt, and he in a few moments fell down on the floor. Upon her being asked what particular things she had lost, besides those before-mentioned, she said a piece of lemon-coloured silk. She said they soon d'outed (or put out) her candle, and lighted little brown wax candles; and what further

induced her to think they were the men, was her observing, on the examination of Hyam Lazarus, some of the very same wax on his hat.

John Stone was next sworn; who deposed, that about eleven o'clock on the night above-mentioned, five men entered the bed-room where the deceased lay; that they waked him with a stroke of a pistol on his breast, and on his crying out, "what's that for?" They replied, "d——n your eyes, you son of a bitch, lie still, or we'll blow your brains out." On his fellow-servant's waking and jumping up, they shot him through the back, and the deceased said, "Lord have mercy upon me, I am a dead man." They then seized him, drew him out of bed, and dragged him to the stair-case; in the mean time he, the deponent, jumped out of window, and fell into the gutter (where they fired at him) from whence he got upon the ridge of the house, and thence got into the gutter on the opposite side, over the door; where, after staying about ten minutes, he saw them all come out, saying, "'twas time for them to be gone." On being asked if he recollected whether any of the prisoners were among those who came into the bed-room, he went to the bar, and touched three, Levy Weil, Hyam Lazarus, and Solomon Porter.

Mary Hoskins (Mrs. Hutchins's cook) swore positively to the doctor, as being one of the men who rushed into the house on her opening the door to see what occasioned the noise in the yard.

Levy Isaacs deposed, that he was invited by the above prisoners, previous to the robbery at Chelsea, to engage in it, but he declined it. That the Saturday before the information was lodged against the prisoners, Dr. Weil, his brother, and Hyam Lazarus, drinking together at a publick house, the doctor asked him whether he had heard how the affair at Chelsea had been transacted. Isaacs told him he had; upon which Hyam Lazarus said, they had done for one man there, but the doctor contradicted him, saying, none of them had the spirit to shoot him but himself.

Solomon Lazarus, a pawnbroker, near Goodman's Fields, deposed, that about the middle of June last, Asher and Levi Weil pawned with him a lemon-coloured piece of silk, several pieces of plate, &c. but afterwards he seeing these goods advertised, he went to the said two Weils, who acknowledged they got them at Mrs. Hutchins's at Chelsea.

The prisoners witnesses spoke only to their good character; except one young woman, who endeavoured to prove an *Alibi* in favour of the doctor, but without success.

MONDAY, 9.

Levi Weil, Asher Weil, Jacob Lazarus, alias Hyam Dresden, alias Hyam Lazarus,

and Solomon Porter, alias Solomon Moses, were executed at Tyburn, for the robbery and murder at Mrs. Hutchins's at Chelsea. Their wives and children were admitted into the press-yard to take leave of them before they set out. The priest did not attend at the gallows, but gave each of them a book in the press-yard. When they came to the place of execution, they prayed and sung about a quarter of an hour amongst themselves, and were turned off about half past ten. After they had hung the usual time, their bodies were taken down, and carried to Surgeon's hall for dissection. Levy Weil (the physician) is to be anatomized, and hung up in Surgeon's hall.

WEDNESDAY, 11.

St. James's. This day was received from Capt. Stott, commander of his majesty's ship Juno, who arrived at Plymouth the 9th inst. in 70 days from Port Egmont, the following account of the execution of his commission to receive the possession of Falkland's island in his majesty's name. On the evening of the 13th of September last, Capt. Stott arrived at Port Egmont with his majesty's frigate Juno, the Hound sloop, and Florida storeship, under his command. The next morning, seeing Spanish colours flying, and troops on shore at the settlement, formerly held by the English, he sent a lieutenant to know if any officer was there on behalf of his Catholick majesty, empowered to make restitution of possession to him, agreeable to the orders of his court for that purpose, duplicates of which he had to deliver to such officer. He was answered that Don Francisco de Orduna, a lieutenant of the royal artillery of Spain, was furnished with full powers, and ready to effect the restitution. Don Francisco soon after came on board the Juno; when Capt. Stott delivered to him his Catholick majesty's orders. They then examined together into the situation of the settlement and stores; adjusted the forms of the restitution and reception of the possession; instruments for which were settled, and reciprocally delivered. On Monday the 16th of September Capt. Stott landed, followed by a party of marines, and was received by the Spanish officer, who formally restored him Falkland's island, Port Egmont, its fort, and other dependencies, giving him the same possession as his majesty had before the 10th of June, 1770: on which he caused his majesty's colours to be hoisted, and took possession accordingly. The next day Don Francisco, with all the troops and subjects of the king of Spain, departed in a schooner which they had with them.

As some labourers were cleansing a fish pond at a gentleman's seat, near East Grinstead, in Sussex, they found a bottle covered with mud a yard thick. On it were inscribed these words; "New Canary, put in to see

how long it will keep good, April 1666, R. Wilton." The mouth of the bottle was waxed over, the wine was excellent, though the cork was almost decayed.

THURSDAY, 12.

This day was held a court of common-council, being the first in the present mayoralty. The lord mayor opened the court with a handsome speech. When his lordship had finished, Mr. Luke Stavelly reminded the court, that the constant usage had been to move, as the first business, the thanks to his lordship's predecessor, and that no gentleman had ever merited those thanks more than Mr. Crosby. Mr. Stavelly then read the following address of thanks:

That the thanks of this court be given to Brals Crosby, Esq. late lord mayor of this city, for his diligent and impartial administration of justice during the whole time of his holding that high and important office; for his readiness to convene common halls and common councils; for having always presided with great candour and ability; for having, as chief magistrate, supported with spirit and dignity the privileges and immunities of this city: for having refused to back press warrants, issued in violation of the rights of the subject; for having discharged a printer and fellow-citizen taken into custody by an illegal warrant of the speaker of the House of Commons; for having committed the messengers of that house for the assault, in violation of the laws; for having returned to a court of justice a recognizance taken before him, notwithstanding the minutes thereof, by order of the House of Commons, were expunged, and that house ordered that no other prosecution, suit, or proceeding, be commenced, or carried on for or on account of the said pretended assault or false imprisonment; for having maintained in parliament the rights of the nation, as well as the chartered privileges of this metropolis; and for having preserved, through an imprisonment in the Tower, the same tenour of upright conduct with unshaken integrity, firmness, and fortitude.

The address of thanks was strenuously objected to by several aldermen, and other gentlemen, but at length the question being put, there appeared for the address, 4 aldermen and 117 commoners; against the thanks, 9 aldermen and 47 commoners. The aldermen who voted for it, were Stevensop, Sawbridge, Wilkes, and Oliver. Those against it were, Ladbroke, Alsop, Harley, Halifax, Esdaile, Plumbe, Kenner, Rossiter, and Bird. Alderman Kirkman and Townsend withdrew during the division; but the latter gentleman expressed himself warmly against the address.

It was moved by the under sheriff, Mr. Reynolds, and seconded by Mr. Hurford, that the resolution of the common-hall, for presenting cups to the late lord-mayor, and the

The Aldermen Wilkes and Oliver, should come on at the next court of common-council; but the present lord-mayor declined to put the question.

SATURDAY, 14.

This night about a quarter past twelve o'clock, her royal highness the princess of Brunswick arrived at Carlton-House from Brunswick, in perfect health. His serene highness the prince, her consort, is not expected till May.

WEDNESDAY, 18.

The society of arts considered the proposal made them by Messrs. Adams, relating to a new building proposed to be erected for the use of the society in the Adelphi; when, after a long debate, it was agreed to give Messrs. Adams 1000*l.* down, and the annual sum of 270*l.* for the rent of an elegant edifice during the term of 94 years.

SATURDAY, 21.

Last night the house of Sir Robert Ladbroke, upon St. Peter's Hill, was broke open, and the following things, with several others, were stolen therefrom, viz. a gold chain, value 150*l.* a coronation gold medal, a broad five and twenty, a gold commonwealth, a guinea of George the first, five diamond rings, 40 mourning rings, about 15*l.* in crown pieces, two gold snuff boxes, a diamond breast buckle, beside a large quantity of plate.

TUESDAY, 24.

The collection which the lord-mayor made for the prisoners in the several gaols of this city, at the coffee-houses, &c. amounted to 55*l.* in money; which is said to be 13*l.* more than ever was collected before on the like occasion. In the markets a very large quantity of provisions was given. Neither of the sheriffs or under sheriff attended.

WEDNESDAY, 25.

Being Christmas-Day, their majesties went to the chapel royal and heard a sermon preached by the Lord Archbishop of York, after which their majesties advanced to the altar and received the sacrament from the hands of the Lord Bishop of London, assisted by the Lord Bishop of Winchester; his majesty made an offering at the altar of a wedge of gold, commonly called a byzant: the sword of state was carried to and from chapel by Lord Litchfield.

A M E R I C A.

Boston, New England, Oct. 21. It has been currently reported, since the arrival of Capt. Hall, from London, that the governor of this province has received a fresh order from Lord Hillsborough, peremptorily to insist upon a former instruction, requiring him not to give his assent to any tax-bill, and some say, any bill at all, until the commissioners of the customs are exempted from paying a certain proportion for the support of this government.

New-York, Oct. 21. By advices from the bay of Honduras, we learn, that there is, and like to continue, a great famine in that country, the locusts having overspread it in such a manner, that they have eat up every green thing; and it is said that in some parts they lay on the ground a foot thick. At Ambergrease it is said, 17,000 Indians had died for want, and in other parts of the country thousands were dead and dying; so that it was computed that upwards of 80,000 Indians had died with famine when the last account came away. The famine is also great among the Spaniards, they having sent to Honduras for flour."

There are letters by the Grace, Captain Chambers, which is arrived at Bristol from New-York, which give an account, that many foreigners are arrived to settle as merchants in that city, on account of the great increase of trade in that part of the world; that there are now ten large merchant ships upon the stocks in several yards, ready to launch, and more are to be immediately built, as trade is carried on from thence almost into all parts of the world. The same letters say, that this city was never in so flourishing a condition, nor was there ever so great a harmony subsisting amongst the inhabitants as at present.

Charles-Town, Oct. 31. On Saturday, at the court of general sessions, the trial of Dr. John Haly came on, who was arraigned for murder, for the death of Peter Le Lancey, Esq. in a duel. This trial begun at eight o'clock in the morning, and was not over till after seven in the evening, when the jury, after having been out only a few minutes, convinced (we may presume that there was not the least degree of malice on his part) brought in their verdict guilty of manslaughter.

Nov. 7. Last Tuesday the joint publick-treasurers of this province, not thinking themselves warranted to comply with an order of the commons house assembly alone, to advance the sum of 300*l.* currency to the committee on the silk manufacture, it was adjudged a contempt, and they were, by order of that house, committed to the common gaol in this town; but very soon after again set at liberty, in consequence of a proclamation issued by his excellency the governor for dissolving the general assembly.

There was but one dissenting voice to the resolution on Tuesday last for the commitment of the long publick-treasurers.

Quebec, Oct. 10. On Thursday the 29th of September last, between the hours of four and five in the evening, happened the following extraordinary accident, viz.

Upon the arrival of a young man, in a Caleche, at one Joseph Renand's door, in the parish of St. Peters, South river, the earth

earth opened, swallowed up, and buried him under its mass, together with the carriage and two horses. There were in the house a woman, two girls, and a young lad, the latter perceiving this extraordinary accident cried out, "let us save ourselves." At the same time going out of the house to make his escape, when he saw the earth again opening about 18 feet wide, which obliged him to retire, but the woman, who likewise endeavoured to save herself, was swallowed up; the lad was returning into the house where the girls had remained, in the greatest consternation and fright, when all on a sudden it fell down, was carried at about the distance of an acre and an half from where it stood, and buried in the river, under an enormous mass of land, and no part is to be seen except the end of one of the rafters; notwithstanding the lad was only found up to the shoulders in the earth, and whose doleful cries brought some people to his assistance, who had almost dug him out when the barn, which was at a greater distance than the house, fell and was likewise swallowed up in the abyss, this obliged the people to leave the lad, who continued calling to their assistance; but a little time after, they returned and saved him.

This immersion has formed a bank at least three acres broad, the height of which exceeds the shore by above 15 feet; it has shut up the channel of the river in such a manner, that the waters had not ceased to re-flow the 29th, and left it quite dry below the bank.

It is a difficult matter to discover the cause of so extraordinary a falling, as there was not the least sign of an earthquake, and as it was a hill the declivity of which to the river was very gentle: yet as the land formed a small creek, against which the waters struck, and had cut a very deep channel therein, it is to be presumed, that having by degrees washed away the earth, which is of a very soft clay, it had in course of time made a subterraneous passage: this appears the more probable as in the place where the land sunk, there appeared a deep pit about 60 feet perpendicular.

By the general bill of mortality, from December 11, 1770, to December 10, 1771, it appears there have been

CHRISTENED.		BURIED,	
Males	8839	Males	10921
Females	8233	Females	10859
In all	17072	In all	21780
Whereof have died,			
Under 2 Years	7617	60 and 70	1469
Between 2 and 5	1830	70 and 80	1210
5 and 10	818	80 and 90	460
10 and 20	844	90 and 100	67
20 and 30	1671	100	1
30 and 40	1945	101	2
40 and 50	2091	107	3
50 and 60	1751		

FOREIGN AFFAIRS.

By letters from France, we are informed, that the military state of the troops of that kingdom for the year 1772 are as follows: infantry of the king's household 9510; cavalry 3096; French foot, 90360; regiments of Swiss, 14,400; German ditto, 7604; Italian ditto, 1065; Irish ditto, 3720; light troops, 1940; Artillery, 4100; French Horse, 14,520; German ditto, 720; Dragoons, 7680; Hussars, 800; with 55000 Militia; which makes the total 201,515 men.

Warsaw, Nov. 11. Eight of the king's assassins are already taken and brought prisoners to this city. Lukawski and his wife are of the number. Kosinski continues to be treated with great lenity, and undergoes interrogatories from morning till night. The second heyduck is very ill of his wounds. The conspirators entered that city disguised like peasants, and their arms were hid among the sacks of corn. The convents of the Dominicans and Capuchins, where those wretches were concealed till the time of putting their plot in execution, are invested by the Russians, who permit no one to enter into, or go out of them.

Pulawski and Kosakowski have been defeated; the former by Lieut. Colonel de Lange, with the loss of 450 men; the second in Lithuania, by Prince Fabulow; and in his flight by Major Salomon, near Pragnitz, where the party of two thousand which he commanded, were reduced to 500. Within these four days he has passed the Vistula, at five miles distance from this city, in order to go to Czenstochau, whether Pulawski is also fled, and where likewise is Czinski. Great General of Lithuania.

Warsaw, Nov. 23. The 9th instant an order was issued for all the inhabitants, men and women, of every age and quality, to present themselves at an office, therein appointed, to give in their names, places of abode, and station in life. This law, which only appoints one office, and allows but three days to apply in, hath occasioned great disorder and confusion.

Petersburgh, Oct. 18. According to the last advices from Count Orlov at Moscow, the mortality diminishes daily at that place, and the sedition is entirely appeared. The Empress has given orders to the senate to form a process against the principal authors of the above disorders, and several senators are preparing to set out for Moscow to try them.

Hamburg, Nov. 22. We learn from Petersburgh, that the Empress has lately given a fresh proof of her clemency, in recalling from Siberia 270 persons who have been banished there for many years, and whose expences to that capital are to be defrayed by her imperial majesty.

Progress

Progress of the War between the Russians and the Turks.

Warsaw, Nov. 16. This moment a courier arrived from the Russian army under Count Romanzow, with the important news that that general had obtained a complete victory over the Grand Vizir. All we can yet learn of this affair is, that Count Romanzow having sent part of his army over the Danube to attack that of the Turks, and prevent the garrison of Giurgewo from being relieved, the action began as soon as the Russians were in sight of the Turks; that the latter were driven from their camp, and obliged to fly with their Grand Vizir towards Adrianople; and that after the battle the Russians carried the fortress of Giurgewo by storm. The Russians took a great number of prisoners, among whom was the Seraskier Aga, and found 100 pieces of cannon on the field of battle.

Hamburg, Dec. 3. Mr. Grofs, the Russian minister here, received the following account of the operations of Count Romanzow's army from his court, dated Nov. 20.

The day before yesterday, a courier arrived from Count Romanzow, with advice, that that general discovered that the different corps of Ottoman troops were uniting themselves near Giurgewo and Crajowa, and on the right side of the Danube, probably to finish the campaign by one bold stroke; before they left the army, as is their custom.

Count Romanzow, to keep off all the enemies forces, and quietly to enter his winter quarters, made several masterly dispositions, all of which were attended with the greatest success, and, what is very extraordinary, they were all brought to bear at the same time.

The 20th of October Major General Gaisam attacked Tulcza, and Major General Miloradowitz attacked Maczin, and after having forced the two Turkish retrenchments, they made themselves masters of the two towns and their castles, where they found a great quantity of artillery, ammunition, provision, and all the baggage of the two Turkish corps. The following night General Weisman marched toward Babadagh, where the Vizir Selihtar Mahomet Pacha had a grand retrenchment, a great quantity of artillery, and most part of the

military chest. After General Weisman had dispersed the different Turkish detachments who came to oppose his march, he attacked the Grand Vizir, and drove him out of his camp, which he took; as also the town and castle of Babadagh. The Grand Vizir fled by the road to Basareni, situated thirty miles from thence in the mountains; General Weisman, taking advantage of the terror, and having sent more than fifty pieces of cannon on the other side of the Danube, went himself, the 23d of October, toward Isaccia, intending to drive the enemy from thence.

At the departure of the courier, General Romanzow received the agreeable news that Lieutenant General Essen had totally defeated the army of Seraskier Mousson Oglou, that he was then pursuing them, and had taken all their artillery and baggage.

NOTE to CORRESPONDENTS.

CATO is too angry a correspondent. The most superficial retrospect may convince him, that the London Magazine is open to all parties, and influenced by none. When a good essay, or good print is sent us, we should be unjust to the publick, if we rejected them, because they might offend some unreasonable partizan of opposition or administration. Let Cato furnish but as good a print on the other side of the question; and we shall convince him of our impartiality by its insertion.

John de Malpas falls under the same censure. Indeed we cannot help considering him as an interested party. His language betrays the quarter where the letter was fabricated. Had he been less precipitate, he would not have been so liable to detection. Peace be to his manes. The stratagem is too gross to succeed.

Ozmir and Almuzar, an Oriental Tale, is not sufficiently correct for the eye of the publick.

A serious representation concerning the present melancholy state of religion, &c. would, we are afraid, contribute very little towards a reformation. An angry and declamatory monitor exasperates instead of amending.

T. D's letter came too late for insertion, but will be attended to in our Appendix.

* * * Complete Lists in our Appendix.

About the Middle of January will be published, Price 6d.

The APPENDIX to the LONDON MAGAZINE, FOR 1771.

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A P P E N D I X

TO THE

LONDON MAGAZINE:

M DCC LXXI.

THE INFIDEL PARSON. *Continued from p. 545.*

HAVING crept home by the assistance of my seducer, I stole away unperceived to bed, and when called to supper pretended a sudden indisposition.

Indeed I told no falsehood; the fright and the anxiety of my mind had thrown me into an actual fever. My father flew to my room, and tenderly enquired into the nature of my complaint; for with all his austerity he was at bottom full of paternal affection. Conscious guilt would hardly allow me to look him in the face, as he sat on the bed-side, and held my hand. Supper was ordered in the room; and every art was tried to make me easy and to keep up my spirits. But I wanted to be alone, and to ruminate upon my present condition. At length feigning myself better and inclined to sleep, I was left to my meditations.

The night proved a restless one to me. Divided betwixt hope and fear, my mind was continually on the rack. This moment I thought my seducer would prove faithful, and make me happy; that moment I imagined that, like most other young men, he would sacrifice me and his faith and his honour and his oaths and religion to prudential and selfish considerations.

App. 1771.

The most agreeable and the most dismal scenes rose in alternate succession, and kept a tide of contending passions fluctuating in my breast. Exhausted at length by a long and intense application to the same object, I fell into a slumber, in which, methought, the image of my mother, larger, and more beautiful than when she was alive, approached me with a benign but sorrowful aspect, and with eyes bathed in tears, and thus addressed me, "Sleepest thou, Maria? Can thy heart find rest after so fatal an overthrow? Alas! thou knowest not thy loss, nor thinkest of the disgrace, which thou hast brought upon thy family. Unhappy girl, where is that boasted virtue, that untainted chastity, which was the ornament of thy race? It is gone, gone for ever. Hadst thou no compassion on thy aged father, whose cheek thy frailty will make glow with shame? Dost thou not see him already oppressed with grief, and bending his grey head with sorrow towards the grave? Behold the gulf of shame, contempt and prostitution that opens upon thee! Die, wretch, die; and rescue thyself from such misery."

At these words the vision withdrew. Thinking the whole a reality, I attempted to grasp it, and with the violence of my vain effort awaked, all my limbs being overspread with a cold dew.

dew. Amazed to find this scene a mere illusion of fancy, I endeavoured, after some uneasy and ominous reflections, to compose myself again to rest: but no sooner did my eye-lids close than the vision returned, and seemed to beckon me away. The same prospect still recurring, I rose, but had not the courage to venture abroad, being apprehensive that the adventure in the church might have been observed by some prying eyes, and by this time communicated to the whole village. Under this dread I waited with great impatience for my undoer, from whom I expected to hear the worst, and in any event to receive some comfort. He did not arrive till the evening, when he knew my father would be taking his usual walk in the fields. He soon quieted my fears with respect to detection, and laughed away the impressions made in my breast by the vision. His caresses and endearing expressions operated so powerfully upon my heart, and mingled so much of the sweet with the bitter lodged there before that, notwithstanding all the misfortunes occasioned by that piece of indiscretion, I cannot but now regret the absence of such agreeable moments; and I verily believe that, were it in my power to recal the past, I should make no other use of it but to taste the same cup. I speak only of the emotions, which I now feel. My sentiments at that time were very different. Enchanting and delicious as the scene was, I would have bought my innocence again at any price less than itself.

This evening passed, like many that succeeded, in guilty joys; joys which fled with my lover, and left me to solitude, remorse and tears. When the family retired to rest, and I found myself alone in my chamber, the images, which haunted me the preceding night, returned. In this manner, however, seven months elapsed, when, in spite of all the arts of concealment, the neighbourhood began to whisper the truth. My shape and paleness betrayed me. The secret at length reached Dr. Soak, who questioned his son upon the subject. His son faltered in his speech, and blushed, and contradicted himself. In that critical minute came a letter from me who had not seen him for several days.

The father, who had never before meddled with his son's letters, snatched it out of the servant's hands, and became acquainted with the whole amour. In this piece I had stiled the youth my husband, and pressed him to give me the meeting that we might consult what was to be done in the present exigency; as it would be now impossible for us to keep the affair much longer a mystery.

At this discovery he stormed, and raved and swore that he would immediately disown and disinheret him, and turn him out naked to the wide world. The son begged to be heard in his own defence, and declared, "that he was by no means married, that the whole was but a frolick, a mere pastime; that the silly girl, with whom he had toyed away some evenings in order to unbend his mind after the severities of study, had only assumed the name of wife without any title but courtesy." "And can you swear, Tom, with a safe conscience that this affair has gone no farther?" "So help me, God." "Then let me kiss you, my boy. I have no objection to a little innocent recreation. You would be no son of mine, if you did not love a pretty wench. Let me tell you, Tom, when I was of your age, I could—but no more of that. Beware, however, of tying the knot without my approbation. Marriage is no boy's play. I am glad, since you would be at the sport, that you chose so proper an object, as the daughter of that Presbyterian hypocrite. I thought that all his preaching and sanctified airs would come to this! give me your hand, Tom; let me buss you. You have done me a more acceptable service by this exploit of gallantry than if you had given me a purse of a thousand guineas?" "Why I thought, sir, that, when you knew the real state of the case, you would not be displeased; and in fact the gratification of your wishes more than that of my own desires, was the thing which I had in view?" "Say you so! then you will from this moment abjure all farther connection with the wench or her family?" "With all my heart." "Ay, ay, my boy, you have had enough, and I suppose you have given her enough too. Well, here will I sit down, and write her father a letter,

in which I will repay him for all past favours.

To the Rev. Mr. Willit.

Reverend sir, I have heard thee greatly lauded by thy followers for a holy man. Thy upright life and conversation were held forth as models for imitation. The regularity and sanctity of thy family were said to exceed those of an apostle's. And to these causes was attributed thy success in making proselytes. Thy morals were more powerful arguments of persuasion than thy eloquence or doctrine. I am not apt to be carried away by the first breath of fame. When a Presbyterian character is in question, I wait patiently for the final close of the scene. On this occasion my sagacity was not deceived. I find that thou owest thy proselytes to the charms of thy daughter, not to the purity of thy doctrine, or the force of thy reasoning. Believe me, it is not very becoming in a teacher of the gospel to make his house a house of chambering and wantoness, or to trade upon the *bottom* of his daughter. Other young fellows thou mayest delude, but be assured that my son detests men, who embrace this method of making proselytes. He has abjured thee and thy daughter for ever. Another person must be got to father her bastard.

JONATHAN SOAK.

My father, though nettled at the expressions contained in this epistle, gave it not the least credit, but attributed the whole to the jealousy and ill-nature of the writer. He came, however, to me, and desired that I would read out aloud this curious morsel of eloquence and christian charity. At every sentence I grew paler and paler; I bit my lips; my breath failed; my head turned giddy, and my eyes dim. I could not stammer out the last cruel lines, but fell down senseless and motionless upon the floor.

When by the help of cold water and other remedies I recovered my senses, the first words, that I heard from my poor grey-haired father, were, "And hast thou suffered the artful traitor to effect thy ruin? Ah! poor harmless child, it is not you that deserve the blame, but I who left you young and unexperienced to his wiles and stratagems. But who could e'er suspect a

human form, much less a youth that seemed of gentle manners, of such consummate villainy? O that we were both laid in our shrouds, ere we had seen this day! ah! wretched girl, thou hast killed thy father."

Being laid on a bed I begged to be left to myself, and refused to answer any questions. Here I debated with myself whether I should finish the tragedy by suicide, but the instructions of my father; who always exposed that doctrine, prevailed over my despair. I determined at night to sally out, to seek my destroyer and try to move his pity. But, before that time arrived, I received a billet which informed me, that by order of his father he had set out that day on his travels. Every hope was now blasted. The strain of the letter was so cold and indifferent that I saw no prospect remaining. Yet still I was determined to quit my father's house; because the sight of every acquaintance, and particularly of my father, was become insupportable. Out therefore I sallied in the dead of night, and left my father's house in tears. Oft did I look back, and view by the friendly light of the moon a dwelling that was once so dear to me. As often did a sense of shame and merited contempt quicken my step, and urge me onward. Without ever considering where I was, or whether I was going, I travelled incessantly till the dawn appeared, when unusual pains shooting through my body gave me the alarm, and warned me to quit the high road. Creeping into an old barn I laid me down on a wisp of straw in the utmost agony, and hoped that kind providence was now going to put an end to my misery and to the fruit of my illicit amours. The strength of my constitution prevailed in the struggle, and I was delivered of a boy, whom I wrapt up in my cardinal. Here I lay helpless and forlorn, and calling on death to relieve me and my child, till late in the evening, when some gypsies coming to pass the night under the same shelter charitably interposed, and ministered every comfort in their power. The child, however, died next morning, and they got it buried after their fashion.

In this neighbourhood they continued for some time, finding it easy to subsist, as it happened to be autumn.

When

When I was pretty well recovered, they endeavoured to engage me in their company by praising the free, easy and careless life, which they led; and at the same time invited me to attend them to a statute fair, which was held a few miles off. At this intelligence it occurred to me that service was the only plan of life, which suited one in my circumstances. Accordingly I equipped myself in the most decent manner I could for the expedition, and, after giving the gypsies, who had treated me with so much humanity, a few pieces of money, which happened to be in my pocket, and which I had till now forgot, separated from them, and stood up in the row of girls, that lined one side of the street. A lady in her carriage rode slowly along viewing the girls as she passed. After having reached the extremity of the line she returned in the same manner, and stopt where I stood. "Do you want to be hired, my pretty maid?" said she. "That is my intention, madam?" "Would you like to wait upon a lady, and do her little odd jobbs?" "I should have no objection."

In short she hired me, took me directly into her carriage, and off we rode. We stopt at an inn not far from the fair, and had a very elegant dinner served up. What surprised me was, that I was desired to sit down and partake of the repast with her and a young gentleman, who met her there, and under whose coat I observed a star. His extraordinary attention to me increased my wonder. Yet still I had no suspicions of the lady's trade and vocation, having never heard of these stratagems, which now I know to be very common. Why should I tire you with a repetition of what has been so often told by others; how I was carried to London, lodged magnificently at this woman's house, visited by the gentleman with the star, and betrayed to him in my sleep; how I was gradually deserted, familiarised to the conversation of other ruined and abandoned girls, and at last forced by threats of imprisonment to see company? These and a thousand other hardships common to me with an infinity of other wretches can be no novelty to you.

For several years I heard no tidings of my father. It was but the other day that I met a gentleman, who informed

me that he was inconsolable upon the loss of me; that he advertised me in the news-papers; and promised, that, if I returned to comfort and prolong the life of a despairing parent, the veil of oblivion should be cast over past transactions, and every mark of tenderness and affection shown. Being disappointed in every scheme and effort to recover me, he languished and pined away in grief and solitude. In the midst of his sermons oft has the big round tear been seen to course down his aged cheek--In short, he soon died literally of a broken heart.

[To be continued.]

The Union of the Blood Royal with a Subject proved advantageous to the Nation, and the Civil War between the Houses of York and Lancaster demonstrated to have been owing to another Cause.

IT is really curious to observe the various paragraphs inserted in the news-papers, relative to measures said to be in agitation against the Duke of Cumberland, on account of his marriage with Mrs. Horton. One time his posterity is to be excluded from the right of eventual succession to the throne; another time, a law is to be passed for making the king's consent *absolutely* requisite in all the marriages of the royal family; and a third time, the late unpopular union is to be dissolved by a solemn act of the legislature.

For my own part, though no great admirer of the duke, I should be very sorry that any one of the measures thus constantly talked of was unfortunately to take place; because the duke's marriage can be attended with no consequences whatever injurious to the kingdom; whereas any steps taken either to punish or invalidate it, may be productive of the most lamentable effects; what the duke has done may be *indiscreet*, but it is perfectly *legal*; and if a mother's want of popularity is to argue for the exclusion of an unoffending posterity, the same argument might be urged against the inheritance of our present most gracious sovereign.

Many writers who talk about the civil dissensions, which tore the contending houses of York and Lancaster, during so considerable a period of the 15th century, are very much mistaken when

when they ascribe those fatal feuds, to an alliance of the blood-royal with the families of subjects, as the scenes of desolation in question proceeded wholly from setting aside the regular succession of the crown, in the person of Mortimer, Earl of March; to make way for the elevation of Bolingbroke, who afterwards reigned under the title of Henry the Fourth. The marriage of the blood-royal with the subject in that age, as well as in later *Æras* of our History, was common, and never produced the smallest commotion among the people; but when the *lawful succession was defeated*, when the *legal heir* of the sceptre was sacrificed to *comply with the wishes of popularity*, then Discord immediately kindled her torch, spread the flame of disaffection universally through the kingdom: and even the Northumberland interest, which has chiefly seated Henry on the throne, led an army to depose him in less than four years.

The civil dissensions, therefore, between the families of York and Lancaster, upon the present occasion, operate *wholly in the duke of Cumberland's favour*, and point out most forcibly the danger of wresting the lawful succession of the crown from its natural course, to answer any temporary purposes. Nothing is so mutable in this country as popular opinion. Have we not seen the amiable prince at present on the throne ascend to the dominion of his ancestors amidst the universal acclamation of an enraptured people? Have we not heard every tongue wanton in his praise, and seen every eye turned upon him with admiration? Yet in how short, how very short a time was popularity disgusted with it's illustrious favourite! how soon was his sacred name profligately traduced by libels from the press? and how soon did the multitude even distinguish his appearance with personal brutality?

When we think then of these things, and behold the general inconstancy of the people; when we find those characters one moment the object of the loudest applause, which the next are mentioned with the deadliest execration, we must be convinced that very prince, unjustly excluded from the succession, would have it always in his power, by courting the prevalent hu-

mour of the times, to raise the most dangerous insurrections. In Charles the Second's time, the people eagerly seized upon the reported marriage of that Monarch with Miss Walters, to give their idol Monmouth a preferable title to the duke of York, and the consequence was at last a rebellion in the succeeding reign; if then we would rescue posterity from the miseries which our ancestors experienced during the contentions of the York and Lancaster lines, we must carefully avoid the cause of these miseries, and never rob a prince of his inheritance, who has done nothing contrary either to the general tenor of custom, or the positive law of the land. Let us admit that the duke has acted indiscreetly, (which is admitting a great deal, where his own happiness *alone* is concerned) still does his *indiscretion* authorize us to become *unjust*? or can we be entitled to plunder his innocent race, merely to punish a venial error in the father?—To answer these questions affirmatively, is to support the very tyranny which we have hitherto affected to oppose, and to claim a right of resenting the casual *mistakes* of others, by an excess of *criminality* in ourselves.

I am not upon this occasion, Mr. Printer, stepping forth a champion for the duke of Cumberland, but entering a volunteer in the service of truth. His marriage I consider as a circumstance wholly indifferent to the kingdom, with respect to the object of his choice; because on the one hand, Great Britain wants no continental alliances to protect her, and on the other, being governed by *law*, not by the caprice of her sovereigns, is in no danger of ever suffering by alliances of a domestic nature.

If we weigh the matter in a political ballance, the union of the blood-royal with a subject, is much more advantageous for the nation, than with a foreign princess, and on these evident accounts: first, the foreign princess brings no money with her to defray the expences of her own court, though she always brings dignity enough to require a very magnificent establishment.—In the second place, she is always followed by a number of needy dependents, who are to be provided for, out of compliment to her; and in the

the third place, whenever any war breaks out in the empire, it is deemed exceedingly cruel in us to desert our illustrious relations. Now the daughter of a private subject puts us to no more charge than the foreign princess, tho' she does not expose us to an invasion of locusts, in the form of greedy followers, nor once disturb us with apprehensions, when the half-famished eagle of Germany screams in desperation for blood.—On the contrary, those for whom she provides, are *natural born* subjects, and her family possibly gain no higher distinctions either of an honorary or an emolumentary kind, than what they would have possessed if utterly unrelated to the crown—but say the worst that can be said; say that her father and her brothers are even advanced to the highest departments of the state, still these departments must be filled by somebody, and 'tis indifferent to the kingdom whether Lord Irnham or Lord Sandwich presides at the navy board, and indifferent also whether the privy seal is held by the duke of Grafton or by Colonel Luttrell. If popular opinion is to be credited, we never were so badly governed as at this particular moment, and yet the king's mother is not only a foreign princess, but *all* the relations of the crown are kept with a singularity unknown in any other reign from every employment of consequence in the government.

Here then ends the whole danger of a union between the blood-royal and the family of a subject; as a contest for succession can never take place till the succession is interrupted by some such measure as has been talked of to exclude the Duke of Cumberland's posterity; for I must again and again observe, that our civil wars in the 15th century proceeded entirely from an inroad upon the regular descent, and not in the least from the domestic marriages of our princes. The rights of primogeniture surely are as well understood in the genealogy of kings as in the table of a private gentleman; and we may as well suppose that the duke of Cumberland will now rise up to dispute his present majesty's title, as imagine that his line at any future period of our history will contend with elder branches for the sceptre of his country.

Let us therefore very seriously consider, whether in attempting to rob the duke of Cumberland, we are not actually meditating a blow of the most desperate nature at our own prosperity. If the succession continues in his majesty's issue, no act for excluding the duke's can be at all prejudicial to him; whereas if the king's should unhappily fail, the question solely remains, whether it will be better to call in a prince from Brunswick, with a *dubitable* claim, or to place the crown upon a British head, who will remove the necessity of those real importations from Germany, which have hitherto proved so very disagreeable to the people?

ARISTIDES.

An Elegy, written when a long Course of ill Health threatened the Author with a Consumption.

WHERE now are all my golden hopes
of youth? [Sed.

Youth, nor its hopes, are mine, for health is
On my green years disease hath fix'd her tooth;
And sickness bows like age my vanquish'd
head.

Slow on my life the secret mischief preys,
Numbs my sunk soul: my manly spirit dies:
The hand of Melancholy marks my days,
And Joy with all his blythe attendants flies.

No more with shouts I rouse the slumb'ring
The life, the leader of the hunter train, [morn,
The young, the bold obey the sprightly horn,
But leave me fainting on the couch of pain.

At noon my short and cheerless day begins;
My friends in silence crowd the foodful board;
No mirth of mine their pleas'd attention wins;
No life to me the circling cups afford.

Gay shines the ball, and Pleasure leads the
dance;

But moping Solitude attends me there;
No sparkling eye invites me to advance;
Nor Wit, nor Beauty, hath for me an ear;
On me, sad picture of man's woeful state,
On me the stranger cast his eager eye;
Reflection points his own uncertain fate;
And as he turns, he heaves the selfish sigh,

Fair was my morn of life, and to my view
Blaz'd the full prospect of unmix'd delight,
Ah, dreary change! at noon the tempest blew:
—Yon black'ning clouds denounce a sudden
night.

Hence with the triumph of the strong and gay;
To the same certain end our lives will run:
Mine the short course of one poor wintry day!
They boast a lengthen'd, but a setting sun.

DEBATES OF A POLITICAL CLUB.

Mr. De Grey, the Attorney-General, having ended his Speech, (see p. 590.) Counsellor Wedderburne spoke next.

IT is with reluctance I trouble the House at so late an hour of the night. But the importance of the question will plead my excuse. My silence might be branded with the odious imputation of trimming; and I would have it understood, that in grand constitutional points I always take a decided part, and scorn the mean subterfuges of an invidious neutrality.

It is not that I do not perceive the difficulties with which I am surrounded. I see the narrow path on which I stand, and the rocks and precipices which threaten on either side. I feel my slippery footing, and I fully comprehend how hard it will be for a young man to steer between Scylla and Carybdis. If I lean to the enquiry, I shall be termed a child of faction; if I incline to the opposite side, I shall be christened a slave to the court. In this dilemma how shall I act? as every honest man ought. Knowing that something must always be hazarded by public men, I will, regardless of consequences, follow the dictates of conscience; and, if I cannot satisfy others, satisfy at least my own mind.

The charges against the judges are reducible to two heads: To a false rule of evidence, and a false rule of law. The Attorney-General states the former in a manner totally different from that which was adopted by the mover of the question. A learned counsellor insinuates that this state of the case is not grounded on fact. But I dare say, nay, I know, that he is mistaken; and that this was really the direction of the judge to the jury; and I must say, that it is perfectly consonant to law. No man, who knows the principles of law in general, and the principles of the laws of England, in particular, can entertain the least doubt about the matter. The case is clear and indisputable; and the clamour on this head could have its rise originally in nothing but a mistake, or the want of precision in men's ideas.

APP. 1771.

The 2d head of complaint, or, The rule of law, by which juries are denied the right of enquiring into a libeller's intention, has been so ably handled, that little remains to be said. It has been shown to be conformable to precedents, or to the decisions of a series of the greatest and most upright judges that England ever produced. What is the consequence? The present judges, who only tread in the footsteps of their predecessors, must stand acquitted in the judgment of every unbiassed man. For what, I beseech you, constitutes the common law of England but a course of precedents? Our unwritten law is nothing else. It is wholly and solely made up of a series of decisions given by grave and reverend men in our courts of justice; and it is for this reason called the wisdom of ages.

However disputable this doctrine may be on the principles of the constitution, it is well known to be an article of faith in Westminster-hall, at least ever since the Revolution. I appeal to every gentleman of the long robe that is present, whether it is not frequently given as a thesis to the students of law. How then can any lawyer pretend ignorance of the reception which a question so much agitated meets with among the judges? Or can any man arraign Lord Mansfield, for what passed unnoticed in Lord Holt, Raymond, and so many other judges? I protest I am amazed, and cannot guess the reason of such a strange proceeding.

The learned serjeant indeed asserts, that some of these precedents, being recorded only in the State Trials, are not to be trusted, because these volumes are of no authority. But I take the State Trials to be books of good credit. At least men of as great penetration and judgment as any person in this assembly have viewed them in that light. Not to speak of others, what think you of Rapin, Carte, Robertson, Hume, and Blackstone? They have quoted them as authentic monuments, as proper foundations for the most solid and durable superstructures. Nor have they done so without reason. For the State Trials do not relate things

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things done in a corner. They record transactions that passed on a public theatre, and before the nation at large. Falshood, therefore, in such great and essential points could not creep into them, without detection. Hence they may be justly considered as having the sanction of the whole kingdom, and are consequently more to be depended on, than the scrawl of an obscure reporter. Not that I would set them up in Westminster-hall as authorities, equal in law to Coke and Littleton: No; I only contend, that in matters of fact no books are more authentic; and it is evident that whether a particular judge delivered a particular opinion, is a mere matter of fact.

Thus then it appears that there is a series of precedents, which favour the arraigned doctrines; that these precedents are of good note, and that the contrary precedents, if any, are very doubtful, and founded rather on the torture of words and evidence, than on the clear and explicit declarations of judges. What is the conclusion? The judges are sworn to abide by the law. The law is founded on precedent, or at least explained by it. They have adhered to precedent. They are therefore blameless. I will not say that they are praise-worthy, because there is little praise due to any man for doing his duty in such a plain case. But I must say, that if they had acted otherwise, they would have been not only blameable, but highly criminal. And why? Because they would have been guilty of perjury. Believe me, had their conduct been such as the promoters of this motion contend it should have been, they would have been impeachable.

Let us then leave the judges out of the question. Let us desist from enquiring into their conduct. They have acted like honest men and true. Their proceedings have been sufficiently scanned; nay, they cannot be better known, nor more minutely discussed. Every thing is now before us. We cannot expect more intelligence or more arguments, should we enquire till doomsday. Yet every rational and unprejudiced man must acquit the judges. Why then should we push farther this enquiry? In order to satisfy and quiet the people? That satisfaction and quiet will be as soon

produced by this night's debate, as by any future discussion. As we must ourselves be convinced of their integrity, the people will soon be convinced. I hope the present controversy will be truly reported abroad. If it is, I am sure it must open the eyes of the blind. The public will see how much they have been misled in their opinion of the judges, and be enabled to form a just idea of those, by whom they have been abused.

It is not that I do not think that juries ought to have the cognizance of the intention in cases of libels, even as the law of England now stands. Nor is this a novel opinion with me: I have harboured it for several years. It may be perhaps presumption in me to differ in this point from so many great men, so many oracles of the law; but I must make my own reason my guide. Authority has little weight, when it clashes with reason and argument. Hence, though I protest against enquiring into the conduct of the judges, I am strongly bent on enquiring into the state of the law, that no man nor set of men may hereafter have a pretence for imputing the imperfections of the law to the judges, or for raising against them a groundless outcry among the vulgar.

While matters continue on their present footing, while judges think the intention as a matter of law cognizable only by them, and juries imagine it competent to their jurisdiction, they will be eternally at variance. A constant struggle for superiority will subsist. Alternate violence and injustice will prevail; and law, being placed in the middle between them, will be mangled and torn in pieces. Acted upon by two forces in opposite directions, it will share the fate of criminals whose limbs are tied to the tails of wild horses. Juries thinking their laws and liberties to be at a stake, and judges imagining their honour and authority as well as the law and the constitution to be concerned, neither will give up the contest, till the land become one scene of anarchy and misrule. Indeed who does not see that this is already the case? The most audacious libellers cannot be convicted. Secure in the opposition of juries, they laugh at all the terrors of information and attachment. The Attorney-

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ney-General with all his power is despised. Like an old worn-out scarecrow in a field, his head is made a roosting-place, or something worse, by these obscene birds. Is it not then time for us to stir in this affair, and to reconcile the practice of the law to the principles of the constitution?

Juries seem to me not only the proper but the sole judges of the intention, of the innocence or malice of a libel; because it is really and essentially a matter of fact and not of law. It will not always, indeed, admit of proof, because it is frequently known only to the libeller. But in many cases it may be determined by the testimony of others; and, when it may, there can be no doubt of its being a matter of fact, and therefore cognizable by the jury. In every possible case circumstances occur, which being established by depositions and affidavits, lead to the knowledge of the intention. Why then, since we know it only from evidence, should not the jury consider it as a part of their province? Because, forsooth, there can be no proof of a malicious intention but the very act of composition or publication. But this is not true. There may be other proofs; and were there none else, yet whether the very libel is innocent or not, is a matter of fact. It depends solely on the opinion which is entertained of the libel by the public. What passed in the Roman senate for polite raillery, would in this House be deemed a gross affront, and be perhaps attended with bloodshed. What Roman virtue called Attick eloquence, modern honour would construe rude Billingsgate. The most famous harangues of Cicero or Demosthenes would with us be termed infamous libels. I say they would have been so termed some time ago. But, to confirm my argument, they would now pass for rational political disquisitions. So changeable is the nature of a libel! so much does it assume theameleon, and suit its colour to the complexion of the times! in short its libellous quality is founded entirely on popular opinion. There is no other standard, by which it can be measured or ascertained. Who then so proper as the people to determine the point? They are allowed to be capable of ascertaining the application. But how

is this possible, if they do not understand the blanks and innuendoes, and the general meaning and tendency of the piece? If you deny the one, you must deny the other. Then see to what a dilemma you will be reduced. You will be obliged to confine juries to the single fact of publication. Would it not be better to annihilate them entirely, than to leave them only this shadow of power? Believe me, without the power of considering the intention and the blanks and innuendoes, they will become mere blanks and cyphers. What will then become of our envied constitution? This main prop being removed, the whole fabric will tumble to the ground, and crush us under its incumbent weight.

In all our legal system there is nothing that can boast a preference to the institution of juries. The plan is great, noble and comprehensive, and well worthy of its royal founder. Judges may err; judges may be corrupt. Their minds may be warped by interest, passion, or prejudice. But a jury is not liable to the same inconveniencies. Twelve men of the vicinage, chosen as they are, can have no bias, no motive to show favour or malice to either party: They must judge as the fact strikes them. They must find a verdict agreeable to evidence and conscience. Ask a foreigner what are his ideas of English liberty. He will tell you, with uplifted hands and a look of admiration, that it consists in the right, which every Englishman has, of being tried by his equals. No part of our political system has been a more frequent or a juster subject of panegyric. But where is the propriety of any panegyric, if they only try the most insignificant part of a cause, and leave the rest to the judge, to a man, who is not their equal? This branch of our political institutions I could wish to be immortal, as it deserves. It would therefore give me pleasure to see the line drawn, which should discriminate the provinces of judge and jury. This is the only enquiry, which is worthy of this assembly; because it is the only plan which will silence the present, and prevent future clamours.

Were this scheme adopted, much of the present ferment would immediately subside, and juries would spontaneously

spontaneously give a check to the licentiousness of the press, without any new restrictions. Not that I think restrictions in any case necessary. No, I am far from adopting the creed of my honourable friend, or imagining that, if we were less learned, we would be better men. I hold, on the contrary, that the liberty of the press, and the diffusion of learning, are absolutely necessary to the support of the constitution. We are already become a luxurious nation, and are every day hastening to a dissolution of manners. The powers of our bodies, if not of our minds, are constantly weakened. Like all the great and powerful nations that ever existed, we are tending towards effeminacy. What then would become of us without the press? Not to speak of the rational and elegant amusements which it affords, we owe to it all the spirit that remains in the nation. Were an *imprimatur* clapped upon it, and a licensor appointed, we should come to the last stage of barbarism. We should be worse than Turks and infidels; the setting of the sun of science being much more gloomy and dismal than its rising. Let us therefore guard the liberty of the press as watchfully as the dragon did the Hesperian fruit. Next to the power of this House properly exerted, and to the legal authority of juries, it is the best palladium of the constitution: Nay, without it, I fear the other two would prove very ineffectual. Though it be sometimes attended with inconveniencies, that is no conclusive argument for its abolition. If it were, what would become of the greatest blessings of society? None of them come pure and unmixed. Religion itself is apt to degenerate into enthusiasm or superstition. Must we therefore exterminate christianity? God forbid! Why then be so severe on the liberty of the press? If it poisons the minds of the people, it likewise administers an antidote. The same waggons, the same flies and stages that carry down into the country the lies and abuse of faction, carry down also the lies and abuse of the ministry. If any one is bit by the tarantula of opposition, he is cured by the music of the court.

Mr. Thurlow, the Solicitor-General, spoke next.

IT has been urged, that this

charge, not being specific, does not amount to an arraignment, and therefore ought to be rejected. But, whatever might have been its original complexion, it has now assumed a new form, and bears every stamp and character of a specific charge or arraignment. Not only the crimes, but the criminals, have been specified. The charge has been brought home to individuals, and every culprit is marked out for public obloquy, for the finger of scandal to point at. What more is wanting? Nothing, but that the accusers should pledge themselves, or should at least be bound over, to prove their charge well-grounded. In my opinion, no man should be allowed with impunity to make a wanton attack upon such venerable characters as the judges of the land. We award costs and damages to the aggrieved party in the most trifling actions. By what analogy then can we refuse the same justice in the most important cases to the most important personages? If we allow every pitiful patriot thus to insult us with ridiculous accusations, without making him pay forfeit for his temerity, we shall be eternally pestered with the humming and buzzing of these stinging wasps. Though they cannot wound or poison, they will tease and vex. They will divert our attention from the important affairs of state to their own mean antipathies, and passions, and prejudices. Did they not count upon the spirit of the times, and imagine that the same latitude which is taken by the libellers is here allowable, they would not have dared to offer so gross an outrage. I hope we shall now handle them so roughly as to make this the last of such audacious attempts. They are already ridiculous and contemptible. To crown their disgrace, let us inflict some exemplary punishment. Else none of us is safe. Virtue and honour, you see from this instance, are no safeguard from their attacks.

It is in vain that the last speaker has endeavoured to give a plausible appearance to the enquiry by placing it on a new footing. However ingeniously imagined or elegantly expressed his propositions might be, the new post is almost as untenable as the old one. For what does it avail to say,

say, that, as long as matters continue in their present situation, there will be an eternal struggle for superiority between the judge and the jury? Matters will not, cannot, long remain in their present situation. They will soon return to their old channel, if we act with firmness, and support the law, and the judges. I say, if we support the law. For, notwithstanding all that has been said to prove the intention a matter of fact and not of law, I do not see that it belongs the less for that reason to the jurisdiction of the judge. The nature, the direct effect, and the remote consequences of a state libel, are so complicated and involved with various considerations of great pith and moment, that few juries can be adequate judges. So many circumstances are at once to be kept in view, so many ponderous interests are to be weighed, so many comparisons to be made, and so many judgments formed, that the mind of an ordinary man is distracted and confounded, and rendered incapable of coming to any regular conclusion. None but a judge, a man that has from his infancy been accustomed to decide intricate cases, is equal to such a difficult task. If we even suppose the jury sufficiently enlightened to unravel those knotty points, yet there remains an insuperable objection. In state libels their passions are frequently so much engaged, that they may be justly considered as parties concerned against the crown. No justice can therefore be expected from them in these cases; and it was with reason that Lord Hardwick said they were not to be trusted. I wish this truth may not of late have been too much felt, and given us some room to suspect, that if judges may err and be corrupted, juries may likewise err and be swayed by their own interest; and that if they do judge as the fact strikes them, it sometimes strikes them wrong.

In order therefore to preserve the balance of our constitution, let us leave to the judges, as the most indifferent persons, the right of determining the malice or innocence of the intention. Our forefathers did not yield to us in wisdom, and yet they left this branch of the law as they found it at the revolution; the time, in which the flame

of liberty burnt the strongest and brightest. Let us imitate their prudence; we shall only spoil the constitution by our tampering.

It is not that I think the intention a matter of fact; no, in the sense put upon it by the judges it is a matter of law. What they meant was, that the judgment to be passed upon the intention was a matter of law, and therefore competent only to the jurisdiction of the judge. But whether it is a matter of law or fact is not of any consequence. Methinks I have shown that in either case it ought to be left to the judge.

Much dust has been raised about civil and criminal actions. But to what purpose? Is not reparation to be made to the public for any injury which it may have sustained, as much as to an individual? Is the welfare of the nation in general of less consequence than that of a single person? Where then is the propriety of making such a bustle about the malice or innocence of the intention? The injury done is the only proper measure of the punishment to be inflicted, as well as of the damage to be assessed. Since you cannot plead the intention as a mitigation in the latter case, neither can you in the former. Hence Holt, Raymond, and their successors, judged not only according to law and precedent, but according to reason and justice.

Colonel Barré said, that the matter was not so abstruse as to be above the comprehension of any man that had received a liberal education; that the disagreement of so many learned lawyers ought to induce the House to adopt the enquiry, in order to reconcile so many clashing opinions, and to satisfy the people; that the judges had not been very uniform or consistent in their determinations of this point; that such inconsistency could not have taken place, if the doctrine in question had been the established law; that we had a political judge; that our forefathers were alarmed when King William closeted members of the Lower House; that we had much more reason to be alarmed, when the Chief Justice of England was closeted; that the virtue of one judge was attempted; that we had no security against an attempt upon the virtue of another; that most courtiers

had their price ; and that every judge was not a Yates.

Mr. Calcraft said, that Mr. Almon had been injuriously treated ; that he had no concern in publishing Junius's letter ; that he did not know of its insertion in his magazine ; that he was in the country when it was taken in and sold by his servant ; that he stopped the sale of it when he came back ; that he and his compurgators had sworn to these particulars ; that, in spite of all this, he was fined ten marks, and obliged to find security for his good behaviour during the space of seven long years, at the risque of eight hundred pounds ; that the present state of the press rendered it impossible for him to escape, if he kept open shop ; that this was absolutely ruining a man, in direct contradiction to the letter and spirit of law ; that therefore the enquiry was necessary.

Mr. Fitzpatrick said, that no proof had been yet produced of the accused judge's being a politician, and that a mere assertion amounted to nothing ; that the judges in general ought to support government, and were in fact part of government ; that the abused judge had always adhered to law, and yet had no pensions, no sinecures, while another, (meaning Lord Camden) who had patronised the most unconstitutional principles with respect to the privilege of members in cases of libels, and with respect to the prerogative of the crown in cases of state necessity, enjoyed places, pensions, reversions, and popularity ; that Almon was only restrained from printing libels, and doing an ill act ; that affidavits, where the affidavit-men are not confronted and cross-examined, are not to be set in the ballance with a verdict of a jury ; that the characters of the affidavit-men was not the very best ; that they lived, moved, and had their being, by vending scandal and falsehood ; that the judge was only culpable for being too gentle ; that for these reasons the enquiry would be absurd.

After this, some personal altercation passed between Colonel Onslow and Serjeant Glynn ; but, as it had little relation to the main question, we shall not give it a place.

The question being called for, it

passed in the negative ; 76 being for it, 184 against it.

A brief Discussion of the Legality of the Duke of Cumberland's Marriage upon the Principles of Law and Reason.

IT is pretended that none of the royal family can marry without the consent of the King ; because such alliances may be attended with very serious consequences to the nation. They may breed civil wars, like those between the houses of York and Lancaster ; and they must necessarily prove burdensome, since provision, suitable to their rank and dignity, must be made for the children, and issued out of the Exchequer, now that the crown has no appanages, no royal demesnes to parcel out among its favourites.

The prospect of the expence ought certainly to weigh most with the people, in the consideration of this subject. Burdened already as we are with pensioners and placemen, we cannot without alarm see a new and endless source of burdens opened. Yet it seems hard in a land of liberty to debar the royal line from the comforts of matrimony, from a share of that common happiness, with which the meanest subject is indulged. What is such a prohibition but a manifest violation of the Gospel, and a sanction to incontinence ? The additional expence thus avoided would be ill exchanged by the state for examples of vice and immorality, which must necessarily ensue.

It cannot be denied that the celibacy of the royal line would be advantageous to the reigning branch, in the same manner that the tranquillity of the Grand Signior's seraglio is insured by putting out the eyes of his brothers. Thus there would be no fear, no jealousy. The actual prince might proceed in his own way without let or molestation. Who then needs be surprised that St. James's has set a mark of reprobation on the Duke of Cumberland ? We all know that a plan of despotism has been adopted, and partly put in execution. Is it not mortifying to see such a simple prince as the Duke damp so fair a hope, and threaten finally to blast it ?

Such is the reasoning of the court. The people ought to pursue a different

different thread of argument. Had we not been possessed of different branches of the royal family, what would have become of our charters of liberty? The struggles between the contending parties made the people umpires of the quarrel, and gave an elective turn to the succession at the same time that it remained hereditary. What but this circumstance raised William the second, Henry the first, Stephen, and many others, to the throne? What but this circumstance procured us Magna Charta, the Revolution, and the family of Brunswick? If we would preserve such invaluable blessings, let us always cherish the growth of various branches of that august house. Men will be men, and princes frequently less than men. Recent experience proves that the royal family, like all other families, is no enemy to arbitrary power. Let us be provided against any sinister event. Let us be possessed of a proper leader in the day of trouble. We can easily make such a candidate swear to the observance of our own conditions. We need not be afraid that the people will espouse his cause lightly, and without foundation. Having an interest in peace and good government, and being the persons that principally suffer in every contention, they will never rise up in arms, till multiplied hardships and oppressions drive them to extremity. In such a case who will blame, nay who will not praise them, for breaking their fetters in pieces by altering the line of succession?

Till the reign of Henry the Eighth, no restraint was laid upon the blood royal in the article of marriage. They entered into the connubial state often without, and sometimes against the consent of the sovereign. This odious tyrant had a law enacted, by which the Archbishop of Canterbury, who in this case officiated now as Pope, was disabled from granting to any of the royal family a marriage-licence, that should be valid, till it was confirmed by the King. This act still remains unrepealed. Consequently the Duke of Cumberland was not married by licence; else his marriage is not good in law. But he may have been married in England, in consequence of banns published in some parish church, and then there can be no legal objection; as neither

the common nor statute-law make in this case the least distinction of persons.

The decision of the judges obtained by George the Second, by which he was constituted guardian of his grandchildren during the life of their father, is authorised neither by law nor by reason, and is justly ranked among the many instances of corrupt servility given by the long robe in all ages. The judges were not unanimous, and the arguments used by the courtly doctors are palpably contradictory to the whole tenour of our history. Besides, the case is by no means applicable to the present subject. Whatever colour there may be, on account of age and superior wisdom, for transferring the guardianship of grandchildren from the father to the grandfather, there can be none for giving the brother any authority over the brother, that he has not over every other subject; because they may be twins, and nearly of the same age; because the second may be wiser than the first; because in a free land all subjects should, without distinction, have the right of disposing of themselves, when they come to the legal age of maturity and discretion. Much less ought the sovereign to have the power of controuling, in this particular, an uncle, or any other elder relation, who may have perhaps been his guardian and the regent of the realm. Such a plan would be an absolute subversion of the most sacred laws of nature and reason, which loudly exclaim against making the younger guardian of the elder, and against taking from the father the care and tuition of his own children. The power which the grandfather in Rome had over his son and grandchildren, is well known to have been a relick of the ancient slavery, which prevailed in that city when barbarous. Shall we, in the case of the first family, adopt a practice inconsistent with the letter and spirit of our laws and constitution, when we reject it with regard to the last?

Had he been married in Scotland, it is evident that the ceremony might have been performed in the open fields by a presbyterian or episcopal minister, or indeed by almost any other person. All justices of peace there have, for the facility of marriage and population,

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the power of granting licences; and the maxim of the law is, that whoever cohabits with a woman, and can be proved to have addressed her in a letter, or even called her his wife, is to all intents and purposes her husband. No wonder that men, who have formed such wise and enlarged notions on this subject, should not have suffered the marriage-act to be introduced among them.

But the Duke was actually married abroad; and therefore it is very immaterial by what sort of priest, in what church, or in what communion the knot was tied. The law of nations and nature, (for they are, or at least ought to be, the same) will render it indissoluble. Were a different notion to prevail, what injustice, what confusion would it produce? How many marriages would become null and void? How many children would be immediately rendered illegitimate, how many estates forfeited! how many families ruined!

These considerations feelingly convince us that the jargon concerning the impossibility of the Duke's being legally married any where in France, but in the English ambassador's chapel, and by an English priest, is perfectly absurd and ridiculous. It is no less so than the chimerical foundation on which it is built, the King's dominion *de jure*, though not *de facto* in France. At this rate no Englishman can be married in Spain or Portuga; for there our King has neither imaginary nor real right or dominion. Suppose an Englishman marries a catholick lady in France according to the French form, he is not, according to this system, her lawful husband in England. What a monstrous doctrine! The law of nature and nations would be at an end. Adieu to trade, adieu to commerce. All connection and intercourse with foreigners, the life and soul of this island, would be cut up by the roots. And for what purpose? To render our Princes despotic, and to enable them to treat us with as much indignity as James the First's star-chamber did Mr. Seymour the Earl of Hertford's son for marrying Arabella Stuart! to put it in the power of our impotent monarchs to impose exorbitant fines, and to imprison in the Tower! But

not such a tale be heard in Gath, nor proclaimed in the streets of Askelon.

G R O T I U S.

The Stratagems of Polyænus, translated from the Greek, Book I. The Dedication addressed to the Emperors Antoninus and Verus.

MOST sacred princes, the favour of the Gods, your own prowess, and the bravery of the Romans, with whom you have brought to a happy conclusion all past as well as present wars and battles, will crown with success the expedition which you are now meditating against the Persians and the Parthians. I, however, being by nation a Macedonian, and having therefore a kind of hereditary and prescriptive claim to the knowledge of conquering the Persians in war, think myself called upon by the occasion to give you some assistance. And, were my body as vigorous as my mind is willing, I would readily list under your standard, and exert the strength of a Macedonian arm. But, tho' you see that I am exhausted and incapacitated by age, yet I will not suffer myself to be totally exempted from all military service. As auxiliaries in the military art, I present you these antient stratagems. Yourselves they may furnish with an extensive knowledge of past transactions. Your generals, your lieutenants, your tribunes, your centurions, and other officers, they may instruct in their duty by displaying those acts of skill and prowess, which have distinguished the exploits of former ages. Bravery consists in overcoming an enemy by open force; but conduct, in subduing him by art and stratagem without a blow. Hence it is the first qualification of a great general to gain a bloodless victory. For this purpose, nothing is better calculated than a stratagem, which, being conceived in the heat of action, secures the victory by anticipating the fortune of the day. Even Homer seems to inculcate this lesson. For what does he mean by the frequent repetition of the words, *by fraud or force*, but to insinuate, that, in military affairs, we should first employ art and stratagem, and, if they should fail, that we should then exert the strength of the body? Sisyphus, the son of Æolus, is said to have been

the first of the Greeks, who on such occasions made use of cunning and deceit. This idea Homer suggests, when he calls him *the craftiest of men*. The second, who distinguished himself in this branch of knowledge, was Autolycus, the son of Mercury. Homer celebrates him as an excellent thief in these words; *when he came to Parnassus to visit Autolycus, his mother's excellent brother, who outstript the rest of mortals in theft and perjury, a gift which he had received from Mercury himself*. It is not credible that Proteus could at pleasure assume the forms of animals, plants, and other natural objects. It was his dexterity in effecting by art and cunning whatever he pleased, that gave occasion to Homer's fable. Ulysses always boasts of his skill in deceiving. *I am, says he, Ulysses, known to all men for every species of deceit, and my glory reaches heaven*. The rest of the heroes attributed to him their victory, and declared that to his conduct they owed the taking of the *wide-streeted* city of Priam. Many are the passages that make this event the effect of his counsels, and words, and deceitful arts. Homer frequently sings the stratagems which he used against the enemy. That he first gashed himself with dishonest wounds, and then deserted to the enemy, is a fiction of Homer's. Even the wooden horse, which Epeus made, was a stratagem contrived by Ulysses; and the wine, the firebrand, and the ram, may be called stratagems employed against the Cyclops. He stopped the ears of his companions with wax, and tied himself to the mast. Were these acts any thing else but stratagems against destructive music? What shall we say of the beggar's bag, and of his innocent impositions on Eumæus and on Penelope? *He feigned much falsehood in truth's garb disguised*. These, and his wrestling with Irus, his removal of the drunken young men's arms, and his bending of the bow at the gate, are all stratagems employed against his enemies. But, let the instructions of Homer on this head be consulted as sufficient; while I mention the stratagems described by tragic writers. Ulysses over-reached Palamedes in a council of the Greeks by privately conveying into his tent barbaric gold; and the wisest in the

army was thus condemned for high-treason by craft and stratagem. But this matter is sufficiently explained on the tragic stage; and it is now my business to proceed to the stratagems furnished by history against concealed or declared enemies. Those which I have collected I will set down in order, briefly enumerating the heads of each. The whole collection consists of eight books, and nine hundred stratagems, beginning with Bacchus.

Of BACCHUS.

1. Bacchus, in his expedition to India, did not furnish his troops with arms, that openly bore a hostile aspect. That the cities might the more readily open their gates, he covered them with light garments and with deer-skins, ivy and vine-leaves being wrapped round their spears. Having intoxicated his enemies with wine, he excited them to dance to the sound of his cymbals and drums, with which he gave the signal of battle instead of the trumpet. These and all the other orgies of Bacchus are nothing but the stratagems, by which he subdued India and the rest of Asia.

2. Bacchus, finding that his army could not bear the heat of the climate in a certain part of India, took post on the mountain Tricoryphon; a name derived from its three tops called Corasbie, Condasce, and Meron. On the last of these there are many monuments indicating that he was here born. It affords a multiplicity of pleasant springs, a great variety of wild beasts, plenty of fruits, and a quantity of refreshing snow. His troops, after having encamped here some time for the recovery of their health, fell suddenly on the barbarians in the plain, and, enjoying the advantage of discharging their darts from the higher ground, easily put them to flight.

3. Bacchus, having subdued the Indians, converted both them and the Amazons into auxiliaries in the expedition which he undertook against the Bactrians. The country of this nation is bounded by the river Saranges. They took post therefore on the mountains which commanded it, as if they intended to set upon Bacchus in his passage. Having encamped close to the river, he ordered the Amazons and Bacchanals to cross, that contempt for the women might pro-

voke the Bactrians to descend from the mountains. Accordingly they did descend, and approaching the river endeavoured to prevent the passage of this female band, which in consequence retreated, and was pursued by the Bactrians to the very banks. In this critical minute Bacchus sent to their assistance the men, who cut to pieces the enemy entangled by the stream, and passed the river without danger.

Of PAN.

Pan, who served Bacchus in the character of general, was the first who invented the line of battle, which he called Phalanx. The right and left wings of an army are likewise his institution; and, as these are by the Greeks termed *horns*, he is in their mythology feigned to be *horned*. Besides, he first taught the art of striking terror into an enemy by skill and stratagem. Being with Bacchus in a hollow forest, he was informed that an infinite multitude of enemies was encamped in his front. This intelligence startled Bacchus, but not Pan, who ordered the army to shout as loud as possible in the night. Accordingly they shouted; and the sound, being reverberated by the hollow forest and the surrounding rocks, seemed to the enemy to be that of a much more numerous host than they had conceived. Struck with fear therefore they fled. Hence, in honour of Pan's stratagem, we feign that he was beloved by Echo; and we call the vain and groundless terrors of armies by night *panics*.

Of HERCULES.

1. Hercules intending, without being the aggressor, to provoke the Centaurs to battle, that he might extirpate their whole race from Pelion, lived with Pholus. Opening therefore a cask of odoriferous wine, he stood with his friends to guard it. The Centaurs in the neighbourhood perceiving this rushed towards the cave of Pholus, in order to plunder the wine; and Hercules, under the appearance of repelling injustice, killed them as they advanced.

2. Hercules, dreading the strength of the Erymanthian boar, took the creature by stratagem. He poured down a multitude of stones upon the beast as he slept in a valley filled with

deep snow. Being thus roused he springs out, and rushing furiously on he is taken while he is vaulting and plunging.

3. When Hercules with his fleet arrived at Troy, he went himself on shore in order to fight on foot, and ordered his ships to ride in the offing. The Trojan infantry being vanquished, the cavalry galloped towards the ships, which being afloat they could not take. Hercules pursued and cut them all to pieces on the shore, the sea having left no means of escape.

4. In India Hercules adopted a daughter, whom he called Pandæa. Having given her as a portion that part of India which lies to the South, he divided her subjects into 365 cantons, and ordered one of them every day to bring its own proportion of the royal tribute, that the queen, having her eyes always fixed on the debtors, might have the rest as auxiliaries to compel them if they refused.

5. Hercules, being at war with the Minyæ, durst not engage them on the plain, because they were excellent horsemen. He therefore overflowed the plain with the river Cephissus, which separates mount Parnassus and mount Hedylius, and after cutting Bœotia into two parts is lost in a vast chasm before it falls into the sea. This chasm Hercules surrounded with a wall of large stones; and turned the river into the plain occupied by the cavalry of the Minyæ. By this stratagem the plain became a pool of stagnant water, and rendered the Minyan horse useless. After obtaining the victory, Hercules removed the wall built round the chasm, and restored the Cephissus to its antient channel.

Of THESEUS.

Theseus, that the enemy might have no hold of him in battle, used to clip the hair off his forehead. All the Greeks after him followed the custom, and called it the Theseian tonsure. But of all others those who affected it most were the Abantes.

Of DEMOPHOON.

Demophoon, being entrusted by Diomed with the palladium, guarded it with due care. Upon Agamemnon's demanding it, he gave the original to an Athenian, called Buzyges;

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to be carried to Athens; but kept a copy of the same figure and dimensions in his tent. When Agamemnon came with a numerous host to carry it off by violence, he made a long resistance in order to make it be imagined that he risked his life for the original. Many being wounded on both sides, the troops of Demophoon gave way. Thus Agamemnon, being deluded, went off contented with his counterfeit.

Of CRESPHONTES.

When Cresphontes, Temenus, and the sons of Aristodemus, were sharing Peloponnesus between them, the whole country was by common consent divided into these three lots, Sparta, Argos, and Messena. Cresphontes, desirous to become master of Messena, as it was the best, makes this proposal. Let Sparta or Argos follow the first and second lots as they come up; but let Messena be the appanage of the third. They agreed, and threw lots of white stone into a pitcher filled with water. But Cresphontes dropt a lot of white clay resembling a stone, which immediately dissolved. The lots of stone coming forth, gave Argos to Temenus, and Sparta to the children of Aristodemus. Thus Cresphontes seemed to receive, as the gift of fortune, what was the acquisition of art.

Of CYPSELUS.

Cypselus was king of Arcadia when it was invaded by the Heraclidæ, to whom an oracle had declared that they should make a league with the Arcadians, if they received from them pledges of hospitality. As it was autumn, Cypselus ordered the country people to lay part of their fruits upon the high way, and then to retire. The soldiers of the Heraclidæ having readily used the fruits, Cypselus advanced and invited them to the feast of hospitality. As they, remembering the prophecy, refused the offer, nay then, says he, I must tell you that your army has anticipated you, and received our fruits, as previous pledges of hospitality. Thus by the wisdom of Cypselus the Heraclidæ made a league with the Arcadians.

Of ALNES.

While the Lacedemonians were laying waste Tegea, Alnes, king of the Arcadians, posted the flower of the youth

on the eminences above the enemy, and ordered them to make an attack at midnight. The aged and those unable to bear arms he commanded to watch before the city, and at the same hour to kindle a great fire. The Lacedemonians startled at the sight of the fire, turned their faces towards it; so that most of them fell a sacrifice to the unexpected attack of the Arcadians from behind. Many of them, indeed, came alive into their hands, and shared the fate of captives.

Of TEMENUS.

Temenus intending, in conjunction with the rest of the Heraclidæ, to make an expedition to Rheium, sent some Locrian deserters to inform the Peloponnesians, that tho' the fleet, which he kept as it were in ambush at Naupactus, seemed to threaten Rheium, yet it was really bound for the Isthmus. Persuaded by this intelligence the Peloponnesians marched to the Isthmus, while Temenus and his forces took Rheium without any difficulty.

Of PROCLES.

Procles and Temenus, both descended from Hercules, were carrying on war against the Eurysthidæ, who inhabited Sparta. As the Heraclidæ were offering to Minerva those sacrifices which are usual in passing a mountain, the Eurysthidæ made a sudden attack upon them. Not in the least dismayed, they ordered their pipers to lead them on as they stood. Accordingly the pipers advanced blowing their instruments; and the army moving forward, according to number and measure, preserved their ranks unbroken, and defeated the enemy. Thus taught by experience, the Lacedemonians are always preceded by the pipe, and receive from it the song of battle. I am not ignorant that the oracle promised them victory when they should use the pipe in war. Nor does the battle of Leuctra overturn its credit. At Leuctra the Lacedemonians fought without pipes against the Thebans, whom ancient custom has peculiarly attached to the use of those instruments. Hence it is evident, that the God promised victory to the Thebans when the Lacedemonians should not be preceded by the pipe.

Of ACUES.

While, by the means of treachery,

the Lacedemonians were endeavouring in the night time to seize Tegea, Acues made it the watch-word among his soldiers to kill those who asked a watch-word. The Arcadians therefore asked no watch-word; But the Spartans, not knowing their friends in the dark, and therefore asking this sign, were cut to pieces by their enemies.

Of THESSALUS.

The Bæotians about Arna happened to invade Thessaly; but the art of Thessalus overcame them without a blow. Taking the advantage of a dark night, he ordered the soldiers to disperse all over the country, and to kindle upon the tops of the mountains firebrands and torches, which they were to whirl up and down alternately. Startled at the sight of the flames, which resembled eddying thunder-bolts, the Bæotians fell into a consternation; and humbly begged peace of the Thessalians.

Of MENELAUS.

Menelaus, returning with Helen from Egypt touched at the island of Rhodes. Upon receiving this intelligence, Philixo full of grief for the death of her husband Tlepolemus, who had fallen before Troy, rushed to the ships with all the Rhodians, men and women, armed with stones and firebrands, in order to be revenged on Helen. As the wind would not permit anchor to be directly weighed, Menelaus concealed Helen under deck, and exposed to view the most beautiful of her attendants adorned with her diadem and gorgeous apparel. Fully believing this woman to be Helen, they covered her with a storm of fire and stone, and then departed, thinking that by her destruction they had sufficiently revenged the death of Tlepolemus. Thus Menelaus preserved Helen, and sailed away.

Of CLEOMENES.

Cleomenes, king of the Lacedemonians, being at war with the Argives, pitched his camp opposite to them. The Argives watched narrowly the motions of their enemies, and regulated their own conduct by what they observed in the Lacedemonian camp. Now Cleomenes gave all his orders by the mouth of a herald. When therefore the herald gave orders to

arm, the Argives armed; when he gave orders to go out for necessities, the Argives went out for necessities; when he gave orders to rest, the Argives rested. Cleomenes gave private directions that, when the herald should proclaim the order for dinner, the soldiers should arm. The herald performed his office; and the Argives went directly to dinner. But Cleomenes leading out his troops all armed easily cut to pieces the unarmed and naked Argives.

Of POLYDORUS.

After the Lacedemonians had carried on war for twenty years against the Messenians, Polydorus pretended to be at variance with Theopompus, the other king, and sent a deserter to acquaint them that the quarrel would produce a mutual and open defection. The Messenians being on the watch, Theopompus decamped, and, that he might be ready on any emergence, concealed his army at no great distance. The enemies despising Polydorus, now that he was alone, marched out of the city with all their forces. Theopompus instructed by his spies stole round them, and after taking the deserted city attacked the Messenians in the rear; while Polydorus charged them in front. Thus pressed by double danger they were easily made prisoners.

Of LYCURGUS.

1. Lycurgus obliged the Lacedemonians to obey his laws by the terrors of religion. When he had framed a new law, he carried it to Delphos, and asked the god whether it would be expedient. The priestess, bribed with money, always answered in the affirmative. Hence the Lacedemonians, through fear of the God, observed his laws as oracular commands.

2. Among others he enacted this law. "Keep not an army always in the field, lest you teach your enemies the art of war."

3. Lycurgus ordered the Lacedemonians not to kill a flying enemy, lest he should think it safer to stand than to fly.

Of TYRTÆUS.

The Lacedemonians were on the point of engaging the Messenians, and withal resolved to conquer or to die. Tyrtæus, in order to terrify the Messenians,

Messenians, and to assure his foldiers of being known, and enjoying the rites of burial, commanded each of them to write his name on a rod, and to wear it round his left arm in battle. At the same time he gave strict charge, that those Helotes, who were inclined to desert, should not be narrowly watched. The slaves finding themselves at large deserted in crowds, and acquainted the Messenians with the desperate resolution of the Spartans. Struck with a panick at this intelligence, they fought with little vigour, and gave an easy victory to their enemies.

[*To be continued.*]

Account of the Fasting Woman of Ross-shire, from the Tour into Scotland, by Thomas Pennant.

KAtherine M'Leod, daughter to Donald M'Leod, farmer in Croig, in the parish of Kincardine, Ross-shire, a single woman, aged about thirty-five years, sixteen years ago contracted a fever, after which she became blind. Her father carried her to several physicians and surgeons to cure her blindness. Their prescriptions proved of no effect. He carried her also to a lady skilled in physic in the neighbourhood, who, doubtful whether her blindness was occasioned by the weakness of her eye-lids, or a defect in her eyes, found by the use of some medicines that the blindness was occasioned by a weakness in her eye-lids, which being strengthened she recovered her sight in some measure, and discharged as usual every kind of work about her father's farm, but tyed a garter tight round her forehead to keep up her eye-lids. In this condition she continued for four or five years, enjoying a good state of health, and working as usual. She contracted another lingering fever, of which she never recovered perfectly.

Some time after her fever her jaws fell, her eye-lids closed, and she lost her appetite. Her parents declare that, for the space of a year and three quarters, they could not say that any meat or liquid went down her throat. Being interrogated on this point, they owned they very frequently put something into her mouth. But they concluded that nothing went down

her throat, because she had no evacuation. And when they forced open her jaws at one time, and kept them open for some time by putting in a stick between her teeth, and pulled forward her tongue, and forced something down her throat, she coughed and strained as if in danger to be choaked. One thing, during the time she eat and drank nothing, is remarkable, that her jaws were unlocked, and she recovered her speech, and retained it for several days, without any apparent cause for the same; she was quite sensible, repeated several questions of the shorter catechism, told them that it was to no purpose to put any thing into her mouth, for that nothing went down her throat, as also that sometimes she understood them when they spoke to her. By degrees her jaws thereafter fell, and she lost her speech.

Some time before I saw her she received some sustenance, whey, water-gruel, &c. but threw it up, at least for the most part, immediately. When they put the stick between her teeth, mentioned above, two or three of her teeth were broken. It was at this breach they put in any thing into her mouth. I caused them to bring her out of bed, and give her something to drink. They gave her whey. Her neck was contracted, her chin fixed on her breast, nor could by any force be pulled back. She put her chin and mouth into the dish with the whey; and I perceived she sucked it at the afore-mentioned breach as a child would suck the breast, and immediately threw it up again, as her parents told me she used to do, and she endeavoured with her hand to dry her mouth and chin. Her forehead was contracted and wrinkled; her cheeks full, red, and blooming. Her parents told me that she slept a great deal and soundly, perspired sometimes, and now and then emitted pretty large quantities of blood at her mouth.

For about two years past they have been wont to carry her to the door once every day; and she would shew signs of uneasiness when they neglected it at the usual time. Last summer after giving her to drink of the well of Strathconnen, she crawled to the door on her hands and feet without any help:

help. She is at present in a very languid way, and still throws up what she drinks.

Memoirs of Cardanus.

HIERONYMUS CARDANUS, a native of Milan, was born on the 1st day of Oct. 1508. He had been a professor of the medical art in most of the Italian universities; in 1570 was put into prison; and on his being enlarged repaired to Rome, where the pope gave him a pension. Never was mortal man more remarkable for a strange inequality of behaviour than this very singular man. His life was a series of odd adventures, which he has committed to writing with a simplicity, or rather a freedom, that is but seldom to be met with among the learned; for, in truth, it seems as if he had written the history of his life for no other purpose, but to give the public an amazing instance, that a person may be endowed with a great genius, yet be a fool at the same time. He makes an ingenuous confession of his good and bad qualities. He seems to have sacrificed every other consideration to a desire of being sincere; and this sincerity being often misplaced tarnisheth his reputation.

Although an author seldom errs when he spontaneously undertakes to give an account of his morals and sentiments, yet we are rather inclined to dissent from, than to believe, what Cardanus relates of himself; because it seems improbable that nature could have formed a character so capricious and so unequal as his was. He paid himself congratulatory compliments for not having a friend in this world, but that in requital he was attended by an aerial spirit, partly emanated from Saturn, and partly from Mercury, that was the constant guide of his actions, and teacher of every duty to which he was bound.

He declared too that he was so irregular in his manner of walking the streets, as to induce all beholders to point at him as a fool. Sometimes he walked very slowly, like a man absorbed in a profound meditation; then all on a sudden quickened his steps, accompanying them with very absurd attitudes.

In Bologna, his delight was to be drawn about in a mean vehicle with three wheels. The liveliest picture

that can be given of this very singular philosopher is couched in the following verses of Horace, which indeed Cardanus confessed to agree perfectly well with his character.

*Nil æquale homini fuit illi; sæpe velut qui
Currebat fugiens hostem, persæpe velut qui
Junonis sacra ferret: habebat sæpe ducentos,
Sæpe decem servos, &c.*

IMITATED.

Where find a semblance for inconstancy?
Now quick of speed, as if from foes he fled;
Now slow he moves, and with a solemn air,
As if great Juno's altar he'd approach;
Now with attendants crowded, now alone.

When nature did not visit him with any bodily pain, he would procure to himself that disagreeable sensation, by biting his lips so wantonly, or pulling his fingers to such a vehement degree, as sometimes to force the tears from his eyes; and the reason he assigned for so doing was in order to moderate certain impetuous sallies of the mind, whose violence was by far more insupportable to him than pain itself; and that the sure consequence of such a severe practice was his better enjoying the pleasure of health.

Cardanus makes no scruple of owning that he was revengeful, envious, treacherous, a dealer in the black art, a backbiter, a calumniator, and unreservedly addicted to all the foul and detestable excesses that can be imagined: yet notwithstanding (as one should think) so humbling a declaration, there was never perhaps a vainer mortal, or man that with less ceremony expressed the high opinion he had of himself than Cardanus was known to do, as will appear by the following proofs.

"I have been admired by many nations; an almost infinite number of panegyrics in prose and verse have been composed to celebrate my fame. I was born to release the world from the manifold errors under which it groaned. What I have found out could not be discovered either by my predecessors, or my contemporaries; and that is the reason why those authors, who write any thing worthy of being remembered, blush not to own that they are indebted to me for it. I have composed a book on the dialectic art, in which there is neither a superfluous letter, nor one deficient, I finished it in seven days; which seems a prodigy. Yet, where is there

a person to be found, that can boast his having become master of its doctrine in a year? And he, that shall have comprehended it in that time, must appear to have been instructed by a familiar demon."

When we consider the transcendent qualities of Cardanus's mind, we cannot deny his having cultivated it with every species of knowledge, and his having made a greater progress in philosophy, in medical art, in astronomy, in mathematics, &c. than the most part of his contemporaries who had applied their study but to one of those sciences. Scaliger, who wrote with much warmth against Cardanus, is candid enough to own the other's being endowed with a very comprehensive, penetrating, and incomparable mind; wherefore, every thing duly examined, we cannot help joining in opinion, that his soul must have been of a most extraordinary cast.

He has been accused of impiety, and even of atheism; because in his book *de Subtilitate* he quotes some principles of different religions, with the arguments upon which they are founded. He proposes the reasons offered by the Pagans, by the Jews, by the Mahometans, and by the Christians; but those of the last in the weakest light. Nevertheless, in reading the book which Cardanus hath composed *de vitâ propria*, we find more characteristic marks of a superstitious man, than of a free-thinker. It is true, indeed, that he owns he was not a devotee, *parum pius*; but he at the same time declares, that altho' he was naturally very vindictive, he often let slip the occasion of satisfying his resentment: let such a neglect then be ascribed to his veneration for the Deity, *Dei ob venerationem*.

He says, "there is no form of worship more pleasing to the Deity than that of obeying the law, against the strongest impulsion of our nature to trespass against it." He plumes himself greatly on having refused a considerable sum of money offered to him by Edward, king of England, on the condition that he would give to that prince those very titles which the pope had taken from him. We cannot find, in any work, proofs of

more solidity and good sense than in the reflections made by him in the twenty-second chapter, where he unfoldeth his idea of religion. The reason which he assigns for his love of solitude, instead of making him liable to, ought rather to free him from, the charge of impiety, viz. "When I am alone, says he, I am then more than at any other time in company with those I love, the Deity, and my good angel."

Cardanus had a vast many irregular faculties, that were more daring than judicious, and fonder of a redundancy than of a choice in materials to work upon. The same capriciousness observable in his moral conduct is to be remarked in the composition of his works. We have a multitude of his treatises, in which the reader is stopped almost every moment by the obscurity of his text, or the digressions from the subject in point.

In his arithmetical performances there are several discourses on the motion of the planets, on the creation, and on the tower of Babel. In his dialectic work we find his judgment upon historians and the writers of epistles. The only apology which he makes for the frequency of his digressions is, that they were purposely done for the sooner filling up of the sheet; his bargain with the bookseller being at so much per sheet; and that he worked as much for his daily support, as for the acquisition of glory.

It was Cardanus who revived, in latter times, all the secret philosophy of the Cabala and Cabalists, which filled the world with spirits; a likeness to whom he asserted we might attain by purifying ourselves with philosophy. He chose for himself however, notwithstanding such reveries, this fine device, *tempus mea possessio, tempus meus ager*, "time is my sole possession, and the only fund I have to improve."

A Political Dream.

I HAD, some time ago, a dream which made a strong impression on me. They laugh here at intermediate beings, at their interfering in our affairs, at their manner of serving us, or amusing themselves, by presenting

senting to us various emblematical pictures in our sleep, by making a kind of magic lanthorn act upon our drowsy senses. In this devout Popish country they admit only some guardian angels and devils, bad companions, who, by no means busying themselves on trifles, encounter one another, to carry, in spite of us, our poor souls into Paradise or Hell. Dreams are to them much the same as receipts for the tickets of a small lottery are to a man of your substance; they deign not to think that they are in being. Divines are pretty much the same at Paris as at London; they have their reasons for being evasive on the nature of dreams. But natural philosophers plainly say, that they are the effect of vapours, more or less gross, more or less melancholy, which digestion suffers to rise to the brain, whose fibres are moved with more or less regularity and succession, according as the organisation is disposed. If we believe them, there is nothing in our dreams which does not result from the mechanism in our body. All the good and solid arguments, which I have heard from you on the subject of hobgoblins, would be thrown away on their learned obstinacy. For this reason I have kept my dream to myself; and the dish, which I am now going to serve up to you, is quite new. If I am not much mistaken, the profound study which you have made of Oniromancy will enable you to discover in it some mysteries no less important, and an event more distant, than the negotiation of the Duke of Bedford.

It was about half an hour after three in the morning, the time when, digestion being completed, especially with a man accustomed to digest roast-beef, the stomach has no gross vapours to send to the brain. It was on a Saturday. I thought I was in Hanover-square. I saw the brilliant gilded statue. It was no longer that of our victorious King George. The image was entirely changed; and I should not have known that I had been in that square, but by the steeple of St. George's church which spoils the view of it. The statue was that of a woman, whom I easily distinguished by her symbols, and knew to be Great Britain. The figure was

colossal, her attitude warlike, but stiff. Her head was of a disproportioned largeness; her face was bloated; and her features, altered by a violent contraction of the muscles, foretold an approaching convulsion. Her two monstrous fists were clinched, and all bloody; they seemed only to hang by some strings of nerves to two dry and skinny arms, so nailed to the shoulders, that they could have no action but what was given them by the motion of the whole body. The belly was as flat as the breast was high. It might be said, that there were no bowels; the navel was almost fixed to the back-bone. The thighs and legs were lost amidst marine trophies, beyond which, some feet of a different form extended themselves out of all proportion, and without being finished.

My resentment was raised against the artist, and I expressed it without reserve, when a hoarse voice bawled in my ear *Myserium*. I suspended my displeasure, in order to consider the rest of the work. The pedestal was an heap of bags and chests, on which, in the most natural attitudes, leaned four large and beautiful figures, representing Wealth, Pride, Ambition, and Liberty. Our celebrated Roubilliac could not carve any thing more elegant. I heard a great noise, which made me turn my head. I saw an immense multitude gathered together, in the midst of which I could distinguish a great number of Portuguese and German Jews, come from Holland, and mixed with our's. As I recollected that it was Saturday, I was greatly surprised; and I said to myself, that some very powerful interest must be at stake, since for it the Israelites neglected the precept of their law. My eyes returned to the statue time enough to perceive a devil, or fiend, dressed partly like a Frenchman, and partly like a Hollander, who, holding in his hand a lighted match, crept, like a miner, under the pedestal. Some dreadful cries apprised me that he had not escaped the notice of the multitude. But the despair that was painted on all their faces, and which displayed itself by the most violent contortions, left me no room to doubt that he had been observed too late. In fact,

some

some eruptions of smoke and flame proclaimed his operation. The bags were consumed, and the chests burnt. I was in hopes, that, being filled with gold, the metal would resist the fire, and continue to form the base, so that the only consequence might have been displacing the statues, which, at the worst, the smoke would have blackened. But, instead of gold, I only saw some oak-leaves, which their moisture preserved but a moment from the violence of the flame. The detached statues fell headlong with a horrible crash; and this crash waked me.

Imagine, my good friend, the embarrassment and distress which such a vision must occasion to a good Englishman. From mere instinct I ran to my trunk. I took out my portofolio. I thought I should go mad if I found in it a single oak leaf. The devil, who sometimes plays these tricks, would not suffer me to see any thing but paper. I turned over all my notes, which I found to be fair and good annuities of the last loan: this composed me for the moment. Of my reflections, the whole day, I could comprehend nothing. From time to time I was seized with fits of uneasiness, and could only be cured of them by returning to visit my portofolio. I have resolved to make some concession to my fears. I will change the nature of my property, and, whatever it may cost me, will purchase land. The devil will be very cunning, if he plays me such tricks on good fields and meadows.

An Allegory on the Pride and Vanity of Mankind.

FROM a cursory survey of the arguments adduced by moralists I thought man was a social being, naturally inclined to converse with his fellows; but I find myself deceived. Experience convinces me, that he is rather a gregarious animal. He loves a multitude, but has a strong antipathy to an intimate connection with any individual that composes it. He resembles those electrical bodies, which, experiments inform us, attract and repel; which, till they arrive at a certain distance, approach each other, and then fly asunder. Natural propensity leads him to join

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in a croud, and to make one among many; but his sphere of attraction extends no further: there it meets with his sphere of repulsion, which does not allow him to come into closer contact, and to communicate thoughts and sentiments which constitute the very essence of society.

Whoever chooses to have a demonstration of this doctrine, has no more to do than to visit of an evening the common eating-houses, and attend to the behaviour of the guests. He will there observe, that every one, as he enters, looks out for an empty box, sets himself down in it, calls for something to eat, and sits dumb and motionless, chewing the cud, and staring at his neighbours, who, like a drove of oxen in a stall, are engaged in the same rational exercise.

The causes of this shyness, and reverential distance, no where more prevalent than in England, are, in some few, a natural timidity, and bashfulness of disposition, which, joined to a consciousness of their own weakness and ignorance, oblige them to contract themselves, like snails, within their own shells, and to stretch and yawn under the weariness of solitude, rather than let a stranger know their incapacity for social life.

By far the greater number, however, are betrayed into this unfortunate practice by too high an idea of their own importance. They happen to be possessed of riches, knowledge, or birth, or, of all conjoined; there needs no more to make them fly the approach of all men. The man of fortune considers the length of his purse; how far his credit extends on the Royal Exchange; how many bags he has in his strong box, and India-bonds in his pocket-book: on the other hand, how many bankrupts there are; how many more whose credit hangs by a single hair, and is ready to be scattered by the least breath of adverse fortune, like the morning mist before the wind. Having thus swelled himself up in his own conceit, like the frog in the fable, he surveys those around him with a fastidious air, imagining that, if any conversation is to pass between them, it is their business to approach, as he thinks money should draw every thing into its vortex, and suspects, besides, they

they may have some design upon his bank bills.

The man of knowledge, or author, who has been all the day long covering himself with learned dust in a library, and, with the moths, been preying on the labours of the dead, looks down with contempt on all the company, as plodding, mechanical block-heads, whom the smallest ray of science has never blest, whose minds and bodies are wholly employed about dirty and perishable objects, as much below his notice as their owners; while he himself is for his daily or weekly allowance, meditating some mighty work, which shall outlast a month, if the Reviewers are so mercenary, or so partial as to let it pass so long without condemnation, and lie uncalled for on the proprietors shelf. Therefore he shuns their conversation, as destitute of entertainment or instruction, and feasts upon ideas, which, like the spider, he spins out of his own brain, and which, like his web, will, when committed to print, catch nothing but insects and vermin.

The man of birth, because he is fifth cousin to a beggarly Scotch lord, who can trace his pedigree up to Brutus the Trojan, and can shew you the sword of Robert de Bruce, as one of the ensigns of his family, turns up his nose at every one, who is not able to point out the genealogical tree, of which he is a branch, and dreads his company more than the itch. He sits, therefore, by himself, suspecting all around him to be base-born commoners, sprung from a dunghill, and ready to infect him with their meanness.

But if a man possesses all these together, it is in vain to think of coming within the length of his shadow; he walks on tiptoe, imagines he moves in another sphere, and that his head touches the clouds. His door is surrounded, and guarded by a pack of footmen, pimps and parasites, who bar all entrance; and when he comes abroad, he sits cased in a gilded chariot, in order to hinder the approach of the vulgar, and to prevent his being soiled by such dirty contagious animals.

The man of dress passes his time solitary and lonely, because he can meet with none, whose coat is cut in the fashionable taste, whose hair is

sufficiently powdered, or whose wig is adorned with plenty of bushy curls.

One of this stamp I met the other day; in the morning he knew me perfectly well, for he was then in *deshabille*; but in the evening he had forgot me, as he had put on his borrowed feathers. At first I was surprised at such a change; but my wonder ceased, when I observed that he had on his *pompadour* velvet suit, and his stone buckles: and when I saw him constantly varying the position of his right hand in order to make people remark the diamond, which sparkled on his finger, I no longer guessed at the cause.

This last class is hardly to be reckoned of English breed: they are Anglo-Frenchmen, who, like the half-formed insects on the banks of Nile, are a heterogeneous mixture of different natures imperfectly coalesced, a *salmagundi* of English pride, and French vanity, the leading passions, from which, as a source, the characters of the two nations flow. This subject, as it may afford perhaps some entertainment, if not instruction, shall be farther handled in the following allegory.

Man immediately after his formation observed that all his fellows were framed like himself, and almost equally capable of attaining knowledge, and every other qualification, which confers dignity or honour; by which means all the avenues to any real lasting superiority or pre-eminence were effectually barred. This sense of his own imperfection, weakness, and want of merit, bred a despondency and lowness of spirit, which made him loath his existence, and curse the hour of his creation. He therefore besought the gods either to remove the cause of his complaint, or speedily to terminate his sufferings by annihilation.

The gods unwilling to let an animal, in whose formation they prided themselves as much as in that of a monkey, pine away with the spleen, bethought themselves of an expedient to save him from this disaster. They sent down Pride and Vanity, the legitimate offspring of Ignorance and Folly, to sojourn upon earth, and relieve his distresses.

This hopeful couple partook largely of the nature of their father Ignorance; but

but Vanity had much more of the mother in her composition than her brother Pride, whose mind, as that of a male ought to be, was somewhat vigorous, and would be called manly, did it not prize too high qualities, which, though in themselves really estimable, lose all their merit, or excite disgust, when too ostentatiously displayed. The mind of Vanity was constantly set upon trifles, which she magnified into important concerns, and rendered the continual object of all her views; that of Pride was employed about affairs of real moment and consequence, which he represented as of still greater moment and consequence. The overweening conceit of the latter arose from great things, that of the former from small. Both were faulty, and faulty in opposite extremes; the one erring through misguided strength, the other through constitutional weakness.

Pride was fullen and reserved, apt to settle his countenance into an air of importance and imagined dignity, which in spite of all his efforts proved to the eye of every beholder nothing but a hateful distortion of features. But, notwithstanding his supercilious look, and visible contempt of others, the least symptom of disrespect was sufficient to excite his choler, and throw him into the most violent passion. His gait was stiff and solemn: he would often walk with his arms a kimbo: sometimes he would strut with one hand in his breast and another in his breeches, and was upon the whole always disagreeable, sometimes ridiculous.

Vanity was pert and forward, full of grimaces and monkey tricks, skipping and capering like a French dancing-master, constantly striving to excite a laugh, and unable from self-conceit to distinguish, when it was caused by the action or the actor, but always attributing it to the former. Her tongue, which was flippant and always in motion, kept pace with her feet: her dress was gaudy and full of affected ornaments; she spread out her tail like a peacock; she tost her head, rolled her eye, and performed many other gesticulations, which rendered her the subject of publick derision.

This pair, such as they have been described, were received in every country with open arms, and fondly caress'd as deliverers from satiety and

disgust of life; but particularly in England and France, who discovered the greatest attachment to them, and of consequence engrossed their principal care. They did not, indeed tho' so nearly allied, adhere for any time closely to one another: the bickerings, which naturally arise between such different characters, soon created mutual disgust, and ended in a total separation.

Pride, finding England espouse his cause with the greatest warmth, erected his standard in it, and left France to the disposal of his sister vanity. In order to relieve his votaries from their splenetick humour, he taught them to over-rate every advantage of which they were possessed, and to make it stand in the place of every one which they wanted; to supply real by imaginary merit, and thus to raise themselves in their own conceit, at least, above their fellows.

Accordingly the rich saw no reason why a man should value himself for any thing but riches, nor the learned for any thing but learning, nor the devotee for any thing but devotion. The divine despised the lawyer, the lawyer the physician, and the physician both. The anatomist, or dissector of human bodies, allowed no merit to the metaphysician, or dissector of human minds, nor the adept in the laws of the solar system, to the adept in the laws of civil society. In a word, every one admired himself alone, and waged eternal war against the pretensions of others. The consequence of this continual opposition of interests, was a coldness and reserve, and backwardness to enter into conversation, which must now consist of nothing but recriminations and mutual injuries. Thus, notwithstanding their propensity to society, the English were withheld from it, and were observed to sneak into a room with as bad a grace, as a thief, who, fearful of discovery, squints on every side with a downcast sheepish look, and steals a suspicious glance at every face around; so that the solitude, to which Pride had now reduced them, was no less insufferable than the insignificance, which had distressed them before his arrival.

Vanity exerted her utmost abilities in applying proper remedies to the distemper, under which her votaries laboured. She was eternally contriving

new fashions of dress, new forms of visits, new species of sports and amusements, in the novelty of which their chief merit consisted. For though she constantly altered old, or invented new modes, she was seldom known to improve the former, or to perfect the latter.

Whoever of her retainers appeared at court, with a coat to which the taylor had given a happy cut, or an elegant lace, shone with the greatest eclat, and was at the very summit of good fortune, till displaced by the graceful cock observed in the hat of some happier rival, who was himself obliged to yield to the superior fortune of a still happier rival, whose frizzled locks had gained the ascendant.

When mademoiselle la Fleur walked in the Thuilleries with a new invented breast-knot, she was the toast of the men, and the envy of the women, till mademoiselle Paonneau degraded her next day by a lucky thought of adding a topknot. Madam Cotillion, upon dancing at a ball in a flounced petticoat of an enchanting fancy, enjoyed the raptures of paradise, and reigned triumphant mistress of the mode, till she was forced at the next meeting to sink into obscurity, at the entrance of madam Cocu, who had the address to superadd to this ornament a fur-below.

Thus they went on vying with each other, who should adorn shirtless sleeves with the greatest variety of well imagined ruffles, and grey Friezland coats with the most glittering copper lace, and as their emulation consisted in outward and adventitious ornaments, and their happiness depended on the opinion which others entertained of their finery, they found it necessary, for want of mental enjoyment within themselves, to herd together in order to show their frippery, and insult each other by ostentation.

Hence arose among them plenty of talk, or rather babbling: for, as every one expatiated in his own praise, and neglected what was advanced by the rest, their cackle could hardly be called conversation. So that social intercourse, that great art of making life happy, remained in as low, if not a lower state than it was before Vanity came to preside over their realm.

The Topicks of General Conversation and Political Discussion during the Month.

I. THE Spaniards have been always jealous of any encroachment upon their American trade. Hence the severity with which they punish all interlopers. Their governors have orders to station guarda-costa's in convenient places, and, after seizing upon all foreign, and above all upon English ships that may be supposed to be smugglers, to confiscate them and their cargoes, and to make the mariners slaves. The origin of

the last war but one must be fresh in the nation's memory. It proceeded from the depredations committed upon our merchantmen by Spanish guarda-costa's. At that time the kingdom rung from one end to the other with the cry, *no search, no search*. It was the general opinion, that British ships should navigate the American seas without molestation, and that whatever nation dared to offer such an injurious insult should be punished with fire and sword. Is the spirit of the nation sunk, or are their sentiments altered? The Spaniards still continue these iniquitous practices, aggravated by every species of cruelty. As early as the 20th of November, 1770, the Duke of Richmond informed the Ministry in the House of Peers, that he had intelligence, not to be doubted, that three thousand British seamen were confined in Spanish prisons and dungeons; that they knew all these circumstances, but carefully concealed them from the publick, as irrefragable proofs of their own incapacity, inattention, and pusillanimity. He added, as a well-known fact, that one of our admirals had demanded of a Spanish admiral and governor five seamen, who had been taken out of an English ship, and reduced to the condition of slaves; that the Spaniard answered he would be very glad to shew him that mark of respect, but that the thing was impossible, as it was inconsistent with his instructions. It is not many weeks since we learned, that the same imperious nation had the audacity to treat a king's ship with equal indignity. The Hawke schooner was actually forced to strike the British flag, and at the very time of receiving this insult had the mortification to see Englishmen working in chains upon the fortifications of Carthagena. They are treated with the same barbarity at the Havannah. And we have the Duke of Richmond's word for it, that they meet with no more humanity at Ceuta, on the coast of Africa. Where then is the wonder, that the citizens of London begin to address their constituents upon this subject? It is time that the whole nation should follow their virtuous example. Ever ready to join in a publick measure, I have sent you a representation of Spanish insolence and cruelty in a print, * which gives a lively picture of this shameful transaction. However assiduous our ministers may be to keep the nation in the dark, they shall find themselves disappointed, while the press is open. If you give me a place, I shall always contribute my mite towards their detection. In the words of Alderman Oliver, I will shew them to be *insolent at home, and abject abroad*.

Audi alteram partem.

* In opposition to the arguments of our correspondent, the partizans of the Ministry contend, in the first place, that there is no founda-

* See this print in our last number.

foundation for the charge against the Spaniards, at least not to the extent alledged. According to them, the Hawke schooner was not taken, only a little difference about punctilio happened, and the matter has been compromised. There are but few, if any English prisoners, much less slaves, in the Spanish dominions. Let us even grant that some interlopers have been made slaves. To what does it amount? Plainly to this, that every nation has a right to establish what laws it pleases in its own territories, and that those, who knowing the rigour of the Spanish regulations in America ventured to set them at nought, are justly punished for their folly and temerity. We, as well as the Spaniards, condemn smuggled effects, and search all vessels on our coasts that are suspected of carrying contraband-goods. Why should we establish against others a law, to which we are not in our turn willing to submit?

We only condemn smuggled goods, but not the owners. At least we never reduce even a foreign smuggler to a state of slavery. The practice is too barbarous.

II. An account of the dispute between Alderman Wilkes and Mr. Stephen.

To JOHN WILKES, Esq;
SIR,

I SHALL narrate the dialogue as it arose. If my memory is deficient, you must excuse me. I may omit, but I shall not add one syllable.

Wilkes. Tell your friend to turn to the statutes at large, and by the 25th of Ed. III. ca. 17. he will find the law for his confinement.

Stephen. Sir, if you will turn to the same statute at large, by the 42d of the same reign, you will find that the statute which you mention was repealed; but I will not give you the trouble to look for it—here it is in my pocket-book.

Wilkes reads it, 42d of Edw. III. ca. 1. "It is assented and accorded, that the great charter, and the charter of the forest, be holden and kept in all points, and if any statute be made to the contrary, that shall be holden for none."

Wilkes. This act is too general; it does not particularly mention the foregoing act of the 25th of Ed. III. ca. 17.

Stephen. That shews the wisdom of our forefathers; they comprised a great deal of meaning in a few words. This act generally repeals all statutes that contradicted the great charter, amongst which was this you now have quoted, if it gave any power over the bodies of debtors.

Wilkes. Then its authority is by the common law?

Stephen. No; the common law is not even silent or dubious on this subject; it expressly saith, that no debtors' bodies were subject to arrest or confinement but at the suit of the king.

Wilkes, to the counsel. Is it so?

Counsel. Yes, it is.

Wilkes. Then long custom has made it a part of the common law.

Stephen. Long custom make law for you, Mr. Wilkes! Has not the custom been to press seamen ever since there was a ship of war belonging to this nation; yet did not you discharge the impressed men? Were not general warrants sanctified by long custom? Will you of all men plead long custom against Magna Charta?

Counsel. Mr. Stephen, there never was any such thing as press-warrants. And can you deny that Magna Charta has not been broken through in many instances besides this of confining debtors?

Stephen. What! shall such doctrine come from one of our profession? Because a law has been often transgressed, must it be therefore abolished or disregarded? Every instance that can be brought of any custom against that glorious Charter of Liberty has brought slavery along with it.

Stephen. Mr. Wilkes, here is bail ready for the trespass which is alledged against Mr. Grimshaw. Take it; keep him for the debt afterwards, if you choose it. Gentlemen, are you willing to bail Mr. Grimshaw for the trespass?

Bail. We are willing to bail the trespass.

Wilkes. The bail is sufficient; we have no objection to them, provided they will bail the whole writ; but we cannot divide a writ, and take bail for the half of it.

Stephen. I mean that you shall have bail for every part of the writ that has any degree of criminality attending it, to wit, the trespass; but, if you jumble two matters together in one mittimus, then it becomes a general warrant, which I hope you will not support or defend.

Wilkes. Mr. Stephen, we act in this case as ministerially only, not magisterially; therefore we cannot take bail for the trespass and discharge the man.

Stephen. That distinction seems very absurd. Suppose the writ had directed you to have hanged the poor man, would you have done it?

Wilkes. No: God forbid.

Stephen. Now here I will close with you. You would not hang him.—Pray, why will you obey a writ to starve a man to death? Is not starving to death, contrary to law, a much more cruel murder than hanging up at once?

Wilkes. How long has this custom been practised?

Stephen. Not so long as the world imagines; for in the reign of Queen Elizabeth the point was tried, when Sir Roger Manwood, one of the best judges that ever was in England, together with all the Barons of the Exchequer, declared, that the bodies of men were not subject by the law to be confined even in execution. Besides, in Charles the Second's reign, an act was made, that the

the true cause of an action should be expressed in all writs. And judge Blackstone acknowledges, in his commentaries, that the courts, after that law was made, contrived the *ac etiam*, that is, the part of the writ, and also for a debt, as a subterfuge to preserve the practice of arresting for debt.

If you will not take bail for the trespass, and discharge the body of the prisoner, an action will be brought against you for false imprisonment.

Wilkes. Very well; we will try the point without chicane or delay.

Stephen. But, Sir, what will the world think, that you should defend a cause against general liberty? I am,

Middle Temple,

SIR,

Nov. 18. Your most humble servant,

JAMES STEPHEN.

An Apology for Alderman Wilkes's Refusal to release Prisoners arrested for Debt.

DEBTORS are imprisoned under two pretences; under colour of a trespass, and under colour of an actual debt. The writ generally mentions these two particulars as the causes of their detention. The court of Common-Pleas indeed has ventured to proceed against a debtor where the trespass was entirely omitted. But then they here acted without the least shadow of law; and thus set an example much more pernicious than any that has hitherto been charged upon Lord Mansfield, even upon supposition that the clamour raised against that judge were founded in justice. For it is notorious, that the common law, such as it stood four hundred years ago, gives the creditor no power over the body of the debtor; and it is certain, that there is no statute now unrepealed that grants such an authority. None but the king's debtors were left obnoxious to that hardship. The only statute that ever countenanced the practice was annulled. Whence then does it now derive its legality? Solely from custom, from a series of precedents which may be traced back for 400 years. Can four centuries of precedents then constitute common law? It would certainly be less disputable, were its origin lost in its antiquity. Yet, till the legislature think proper to take the matter into consideration, and to condemn the practice of the courts, it would be rashness in any man to proceed any further than reason and argumentation. At present, arrests for debt have implicitly the sanction of parliament. What are acts of insolvency but a tacit acquiescence of the legislature in the justice of imprisonment for debt?

I am far from contending for the utility of this custom to the state, and farther still from praising our king's wisdom or humanity in not passing an act of grace at his accession. The examples of Scotland and Holland prove the reverse. My sole aim is to

convince the nation, that a redress of this grievance (for a grievance it is in its present form) is not to be expected, nor attempted by an individual. It must be done by the general representative body of the people. Mr. Wilkes is but a single man; and it is unreasonable to expect that he should understand or remove all our grievances. Instead of blaming him for what he has not, we should thank him for what he has done. He is certainly best acquainted with those imperfections in our political system in which he has been personally concerned. Why should he not be allowed to rectify them first? If he is to be attacked by every intemperate enthusiast for not redressing some particular grievance which he has found out, there will be no end of accusations. For where is the state that does not swarm with grievances, hard indeed upon individuals, but perhaps salutary to the whole? The universe, though the handiwork of the Almighty, is not exempted from such imperfections, if they merit that name. How then should the works of men not betray symptoms of their origin?

Of all men Mr. Wilkes is the most unfit for the Herculean labour of amending the law in this particular. He is himself in debt, and needs the support of the rich. He has various other publick schemes in contemplation. Where then has he time for this object? How can he attempt it without incurring the imputation of faction and sedition, and without being deserted by those whose assistance is absolutely necessary to the success of any of his plans? Besides, is it not prudent first to feel the pulse of the publick, and see how they relish the new law promulgated, or rather vamped up by Stephen? Without the general approbation of the people, a law of such general concern cannot possibly take place in England. Were the legislature to give it their sanction to-morrow, they would soon be obliged to repeal it like the Jew-bill, if its utility was not obvious and confirmed by experience. A custom of long standing is to be touched with a delicate hand, because the whole state has adapted itself to it, and what was extremely useful half a century ago may be now quite the reverse. It is not every meddler that is qualified for improving the political machine, which has so many weights and springs. Projectors more frequently spoil than mend it by their tampering. At any rate Mr. Wilkes, as sheriff, is only a ministerial officer, a meer organ of the law, and, being himself a debtor, cannot with decency attempt so material an alteration. He would with some colour of reason be then ranked with — Tyler, and Straw.

Such were the arguments and motives that induced the Alderman to refuse the request of Stephen. To every candid man they will certainly

certainly appear satisfactory, and expose the futility of the calumnious allegations of a man who has betrayed the cloven foot, who has in the publick news-papers hinted to our present detested and detestable ministry, that he is ready and willing to enter into their service. Had Mr. Wilkes been simple enough to have been persuaded by Stephen to discharge debtors upon bail for the trespass only, and not for the whole debt as the writ of apprehension directs, he would have succeeded in his scheme, he would have effectually served the ministry, and deserved a pension. Mr. Wilkes, as security for the appearance of all his prisoners, would have brought upon his head a debt infinitely greater than that which he formerly incurred by bailing his friends, and through the prosecution of the ministry. In a word, he would have been totally ruined, and a prisoner for life. If menaced with a prosecution by Stephen on one hand, he was threatened with a worse on the other. The weapon which this honest gentleman chose was two-edged, and cut either way. Situated on a narrow path with a precipice on both sides, Wilkes chose to plunge into the less dangerous. Blame him, England, if thou canst.

A LAWYER.

III. The following is an authentic and impartial account of the Conduct of Lord Mansfield in the trial of a cause—Meares and Shepley against Ansell, at the last Assizes for the county of Sarrey.

“THIS was an action brought for trespasses committed in the plaintiffs’ closes, called Boreman’s Mead and Mill-Croft. The defendant pleaded two pleas, 1st, Not guilty, 2dly, That the defendant committed the trespasses by the licence of the plaintiffs.—At the trial the trespasses were clearly proved, with this aggravating circumstance, that they were committed after repeated discharges, and that the defendant had authorised his servants wantonly to trample down the plaintiffs’ grass when it was a foot high, and laid up for mowing. There was not the least title of proof of any licence given by the plaintiffs; but it was urged, on the part of the defendant, that the defendant was in possession of the close called Boreman’s Mead, and therefore the plaintiffs, as to that close, could not maintain an action of trespass, it being a possessory action. To counteract which objection, the plaintiffs counsel called one Mr. Hiscox to produce a written agreement made between the plaintiffs and defendant in the year 1765, and one Joseph Matthews, who was a subscribing witness to the same, to prove the execution of it. The agreement was produced by Hiscox, after which it was taken out of his hand, and a most daring attempt made by some persons on the behalf of the defendant to suppress and stifle it.

“The Chief Justice beheld this most astonishing attempt to suppress evidence with the utmost composure until the general astonishment of the court called upon him to exert his authority. He then compelled the production of the agreement.—The agreement, when produced, purported to be an agreement between the plaintiffs and defendant and his partner, for the former’s letting the latter have “the produce of hay” (for that was the very expression) of Boreman’s Mead, in exchange for a bit of ground of the defendant’s.—There was not a syllable in the agreement about Mill-Croft.—The trespasses complained of in Boreman’s Mead were, for digging and opening large ditches, and converting it into a Callico-ground; and it was thought there could not be the least colour of pretence to say that the words *produce of hay* gave the defendants any authority to do that.—However, the Chief Justice said, the very thing the defendant had attempted to suppress made the defence.—Matthews the witness, emboldened by this extraordinary declaration, addressed the Chief Justice, and desired to give a history of the transaction; and being permitted to do so, he then swore, that, although the agreement only expressed produce of hay of Boreman’s Mead, it was meant and understood that the defendants should have the general occupation, not only of Boreman’s Mead, but of Mill-Croft also.—Mr. Hiscox, in a very general manner confirmed the same. Lord Mansfield received and admitted this evidence, and summed it up to the jury with all the force he could; and thereupon they found a verdict for the defendant.

“The court of Common Pleas last term was moved by the plaintiffs for a new trial, for a misdirection of the judge.—The judge was called upon for his report, which he could not make without sending to the plaintiffs’ attorney for his affidavit of the transaction.—He made his report at last; to which he subjoined, that he was perfectly satisfied with the verdict of the jury.—The court of Common Pleas was clearly of opinion, that Lord Mansfield had acted contrary to every principle of evidence, both in law and equity, in admitting Matthews and Hiscox to give parole evidence, contrary to a clear, explicit agreement in writing which they had attested; and that, if such a practice was to obtain, it would go a great way towards subverting the statute of frauds and perjuries, and would be a most dangerous inlet to perjury, and a means of rendering men’s properties very precarious and insecure. The court therefore set aside the verdict, and ordered a new trial; and it appeared to the court to be so gross a misdirection, that it dispensed with the usual terms of payment of costs.—Although Lord Mansfield, in his direction to the jury, represented the trespasses as small and insignificant, and the ac-

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tion as litigious, the court of Common Pleas said the trespasses were obstinate, wilful, and malicious."

"* On the other side nothing material has yet appeared.

IV. As the public are anxious to hear the particulars of the causes between the Duke of Portland and Sir James Lowther, which have made so much noise in the world, we have obtained the following relation from an impartial hand.

"AFTER the council was drawn up ten deep on each side, and the judges seated in their robes, and the special jury from Cumberland impannelled, and the musty rolls of parchment scattered round the court from all the offices in the kingdom, Mr. Wedderburne opened a short case for Sir James Lowther, in the cause of the forest of Inglewood, shewing, that the forest of Inglewood and the Honor of Penrith had been held as separate and distinct manors from the earliest times down to the grant to the Earl of Portland by King William, when their several rights had been blended together, and ever since enjoyed by the Portland family, under a grant for the Honor of Penrith. This he endeavoured to prove, to the satisfaction of the learned jury, by a hundred pipe-rolls, in the most crabbed Latin that ever grated the ear of man. He then called for some leases, to prove the defendant in possession under the Duke of Portland, and some parole evidence that proved the premises contended for to be within the forest of Inglewood; and, lastly, the lease from the crown to Sir James Lowther, to establish his right.

In reading this paper, after all the said and aforesaid furze, heaths, wastes, shrubs, water-ways, rights, members, appurtenances, courts, royalties, regalities, &c. &c. they came to the words, "thirteen shillings and four-pence," as the reserved rent to the crown. At which words the judges started instantaneously, as if struck with an electrical shock, declaring the lease was contrary to the civil-list act of the first of Queen Anne, which enacts, that in all leases from the crown there shall be reserved the antient or most usual rent, the rent paid for twenty years back, a reasonable rent, or one third of the clear annual profit, none of which were fulfilled by thirteen shillings and four-pence. The objection seemed to be totally new to the council for Sir James Lowther, who appeared to be more shocked than even the judges themselves. The court gave them an hour to recover their senses, and consult together. In the mean while, the solemn expectations of the audience were changed to ridiculous laughter. The jurymen dined in court, to the satisfaction of the spectators, while Mr. Woodhouse, the duke of Portland's attorney, with the agility of a waiter, served up the repast. When the fatal clock

had sounded the hour, Sir James Lowther's council returned in a train like a mourning procession from the abbey. They endeavoured to mutter forth such arguments as no body would then listen to, alledging, "that one third of the profits was reserved to the crown by covenants in the lease; that this was the only mode of complying with the intent of the law where the rent was fluctuating or uncertain, and could not be ascertained, as was the case of courts and royalties; that the reservation intended by the law was to be taken in a liberal sense, the securing such and such profits to the crown without establishing, by a narrowed construction, such principles as must defeat the execution of the act; that, with regard to the rent for the last twenty years, the sum reserved was many millions of times more than that, which indeed had been nothing; that with respect to a reasonable rent, there was hardly a man in court, when he beheld the council, briefs, proceedings and pipe rolls, and calculated the charges they must have cost Sir James Lowther, for recovering the estate for the Crown after the expiration of three lives, who would not think, that including these circumstances, thirteen and four-pence was as much as Sir James Lowther ought to pay; that respecting the antient rent there was no evidence on the rolls to shew that the royalties and courts have ever stood in separate charge."—But the Judge, without a reply, ordered the cryer to roar aloud for John Dent, who making no answer was nonsuited.

Thus to the honour of the laws of this country, the civil list act, which was made to protect the property of the crown, for the benefit of the public, was the means of depriving the public for ever of the benefit of a large estate which had been usurped from it; and the same act, which had been made in consequence of the exorbitant grants to the first Earl of Portland, was now the means of confirming his usurpations to his posterity.

The day following, the cause for the Socage Manor of Carlisle came on to be tried. It was opened by Mr. Wedderburne with great elegance and force, seeming to rise on his former defeat and his retreat to the castle. He said, that it had been given out by the other side, to cover the weakness of their cause under popular clamour, that his client had chosen this spot to try the question upon from some particular circumstances which might render the possession of the Duke of Portland doubtful; that he disclaimed every subterfuge of that kind; that he admitted and allowed the Duke of Portland in possession; that he wished to try the fair merit of the question, What right his Grace had to such possession? which had been much misrepresented to the world. He boldly asserted that the title of the Duke of Portland

was

was so faulty in every respect, and his usurpation so late as the year twenty-nine, without a colour of right, and that no modern conveyancer would have depended on it between man and man, much less against the rights of the public which had ever been held sacred.—That the pity and compassion which had been called forth on this occasion was wholly unmerited, and could only arise from the personal qualifications of the noble Duke, forgetting the circumstances of his predecessors.—That the question before the court was not that of a person who had paid a valuable consideration for property, but that of a family who after having received the most unbounded grants from King William in perpetuity over half the counties of England larger than ever had been bestowed on a subject, had likewise usurped large possessions and even the demesne lands of the ancient crown of England, without any just pretence whatsoever. That he undertook to prove from the earliest period of our records in the northern counties, that the castle and manor of Carlisle had been in the possession of the crown, and regularly continued till the year 1729, when the Duke of Portland under colour of his grant, of the honour of Penrith had got possession.—That so far from the honour or manor of Penrith conveying the castle and manor of Carlisle, that he would show they had ever been held by separate grants even when possessed by the same persons.

Mr. Wedderburne then called his evidence, which chiefly consisted of ancient records, dry, tedious and unentertaining in the reading: all parties were now busily employed endeavouring to catch at every doubtful word or entry. But at last on the Friday following at eleven o'clock in the morning Mr. Wedderburne completed his proofs.

Then began the war of tongues.

The council for the Duke of Portland rested their defence wholly on the defects in Sir James Lowther's lease. They first observed that 50*l.* the reserved rent in the lease, was not the ancient or most usual rent, or any rent within the description of the Civil List act.—That the lease to the Earl of Cumberland, it is true, reserved 50*l.* rent, and that all the leases from Queen Henrietta-Maria and Queen Catharine stated that sum. But the learned gentlemen observed, that the Earl of Cumberland had the castle in his lease which Sir James Lowther had not; that therefore the premises could not be the same.—That Sir James Lowther had mines included in his lease, which the Earl of Cumberland had not.—That altho' it was true there were no mines open on the premises, yet they might be found in the course of the three lives or thirty years.—That, besides, trees were both granted and excepted in Sir James Lowther's

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lease, which was not the case in the Earl of Cumberland's; and tho' it was also true, that there was not a tree on the whole premises, yet they likewise might grow up in the time of the lease, as the life of a man in the eye of the law was a thousand years.

Mr. Wedderburne answered these objections by shewing, that Sir James Lowther's lease could not be deemed discordant to the Civil List act by containing a less quantity of the same premises, and paying an equal rent as the antient lessor.—That with respect to mines, as there were none on the premises, there could be no rational dispute about them.—But he was well informed, that the first lawyer that ever sat in Westminster-hall (hinting Lord Hardwick) had given his opinion that mines were not included within the possible meaning of the Civil List act, more especially when unopened, since they could be subject to no rational calculation whereby to fix the rent to be reserved.—That all leases of mines from the crown had, ever since passing the act, been let under covenant in the lease to account for certain profits as were the terms under which Sir James Lowther held, with a condition of forfeiting the lease in case of failure.—That such was the best and only method of securing the interest of the publick on such property as afforded no method of calculation, so as to comply with the exact words of the Civil List act.—That, in case the judges determined otherwise, such a decision would set half the property of the kingdom, held under leases from the crown, afloat.—That all trees being fully excepted in the lease, and no trees being on the premises, the answer was complete.—The judges declared their opinions against all other parts of the exceptions, except one, but reserved this point, namely, the mines for a special verdict.—The council for the Duke of Portland then proceeded to state another objection to Sir James Lowther's lease, by shewing he had not set forth the value of the premises in his petition, neither the other leases he had received from the crown, both which were required by the first of Henry IVth.—Mr. Wedderburne replied, to the satisfaction of the court, that this statute, if not obsolete, was virtually repealed by the first of Queen Ann; that Sir James Lowther had actually set forth in his petition that the lands in question had been usurped, and were then of no value to the crown, which was undoubtedly the fact; that the report of the Surveyor-General, which was refused to be read though united to the petition, set forth the expence Sir James Lowther must be at in recovering the lands in question for the crown, which had been fully considered at the time of granting the lease, nor could any man say the King had been deceived.

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All the judges gave a clear and decided opinion against the objections arising on the statute of Henry IVth.—The last objection was concerning a subsisting term of two years, to which, though enforced by the engaging eloquence of Mr. Dunning, nobody would give any attention, as it seems the case after having been tossed to and fro in the sea of legal uncertainty, had lately been determined in the court of Common Pleas, namely, That a term where the trust had been satisfied could not be set up to defeat the title of the owner.—Upon all these points, without pretending to show any title, except possession, the council for the duke of Portland rested their defence.

The court directed a special verdict. The lawyers wrangled two hours in settling of it. It was at last agreed as follows,

The JURY find

AS to all the premises comprised in the declaration, except two acres and a stable with a piece of ground thereto adjoining; containing one rood, in the possession of the defendant Jackson, Not Guilty. That King James in right of the crown, was seized of and demised the premises contained in the lease to Earl of Cumberland, at the time of making that lease. That King George the Third, in right of the crown, was seized of and demised the premises contained in the lease to Sir James Lowther at the time of making that lease.

That the premises in the possession of Jackson are parcel of those premises.

Find both the deeds prout. That 50l. was the antient rent contained in the Earl of Cumberland's lease, except as is therein excepted. That 50l. was under the third part of the clear annual value of the premises contained in the lease to Sir James Lowther, at the time of granting such lease.

The petition for Sir James Lowther's lease prout, and that his lease was made in consequence of that petition.

That at the time Sir James Lowther presented such petition, Sir James Lowther had a demise of the forest of Ennerdale.

Mr. Wedderburne and the Attorney-general signed the paper, then the Attorney-general tore off his name—Mr. Dunning declared he would never sign it, and gave the other party a challenge to meet to morrow at eleven, to settle the dispute. The old chief Baron quite worn out, rose up in some emotion and declared the paper was the verdict of the Jury; and ordered the clerk to enter it up accordingly. Upon which his Lordship walked out of court followed by his train-bearer, nor were the Jury long behind, it being by this time eleven at night, and the suit in such a favourable train that the bar may reasonably expect a three years crop will yet be taken by the lawyers on both sides before a final decision can possibly be obtained.

POETICAL ESSAYS.

BARREAU'S Celebrated Sonnet.

Grand Dieu! tes jugemens, &c.

Translated.

GREAT God, thy judgments are supremely right,

And in thy creatures bliss is thy delight;

But I have sinn'd beyond the reach of grace,

Nor can thy mercy yield thy justice place.

So bright, my God, my crimson vices shine,

That only choice of punishment is thine.

Thy essence pure abhors my sinful state,

And ev'n thy clemency confirms my fate.

Be thy will done! let, let thy wrath descend,

While tears, like mine, from guilty eyes offend.

Dart thy red bolts, tho' in the dreadful stroke,

My soul shall bless the Being I provoke.

Yet where! O where, can ev'n thy thunders fall?

Christ's blood o'erspreads, and shields me from them all.

An Ode to Health, written at Buxton in Derbyshire.

O Rosy Health, heart-only maid,

In garments light thy limbs array'd,

In smiles thy jocund features drest,

Of Heav'n's best blessings thou the best;

Bright goddesses ever fair and young,

To thee my votive lays belong!

For thou hast fill'd each languid vein

With vigour, life and strength again,

When pale, enervate, wan and weak,

Despair and sickness seiz'd my cheek.

O cou'd my voice such numbers raise

Thee and thy healing founts to praise,

As might with themes so high agree,

Praise, worthy them, and worthy thee!

O nymph, admit me of thy train,

With thee to range the breezy plain;

And fresh and strong my limbs to lave

Beneath thy nerve-restoring wave.

With thee to rouse the slumb'ring morn

With op'ning hound and cheering horn,

With shouts that shake each wood and hill,

While mocking Echo takes her fill.

O lover of the daisied lawn!

'Tis thine, at earliest peep of dawn,

The ranging forrester to greet,

Or the blythe lass, whose tripping feet,

All as she sings beneath her pail,

Imprint long traces o'er the vale,

Nor seekest thou the proud resorts

Of cities and licentious courts,

Where Sloth and Gluttony abide,

With bloated Surfeit by their side;

But humbly scornest not to dwell
 With Temp'rance in the rural cell;
 To watch the sheep-boy at his stand,
 Or ploughmen on the furrow'd land.
 These climates cold, these barren plains,
 Where rude uncultur'd nature reigns,
 Better thy hardy manners please
 Than bow'rs of luxury and ease.
 And oft' you trip these hills among
 With Exercise, a sportsman young,
 Who starting at the call of day
 Cuffs drowsy Indolence away,
 And climbs with many a sturdy stride
 The mossy mountain's quivering side.
 Nor fleeting mist, nor sullen storm,
 Nor blast, nor whirlwind can deform
 The careless scene when thou art there,
 With Cheerfulness thy daughter fair.
 From thee, bright Health, all blessings spring,
 Hither thy blooming children bring,
 Light-hearted Mirth, and Sport, and Joy,
 And young-ey'd Love thy darling boy.
 'Tis thou hast pour'd o'er Beauty's face
 Its artless bloom, its native grace;
 Thou on my Laura's lips hast spread
 The peach's blush, the rose's red;
 With quick'ning life thy touch supplies
 The polish'd lustre of her eyes.
 O ever make thy dwelling there,
 And guard from harm my favourite fair!
 O let no blighting Grief come nigh;
 And chace away each hurtful sigh,
 Disease with sickly yellow spread,
 And Pain that holds the drooping head.
 There as her beauties you defend,
 Oft' may her eye in kindness bend
 (So doubly bounteous wilt thou prove)
 On me who live but in her love.

EPIGRAM.

CLIO, no more attempt my heart,
 'Tis proof against thy utmost art;
 You gain'd it once; but now I find
 You wish to conquer *all mankind*.

Many heroes, great in fame,
 Have strove, in vain, to do the same;
 But few or none have wish'd, like you,
 To conquer, and to—*blest them too*.

*To a Lady who went on board the Levant to
 see the Grafton launched at Deptford, and
 stoop'd her Ears when the Guns were firing
 from the said Ship.*

APBALL'D by feminine alarms,
 Which can increase e'en your sweet
 charms,

Your fingers in your ears you put,
 But as much caution had you shewn
 For others' welfare as your own,
 You also would your eyes have shut.

On DIOGENES, the Cynic Philosopher.

A Thread-bare cloak, a bag of barley-flour,
 A staff, and dish, were all the Cynic's store;
 And yet his stern philosophy was such,
 He thought this scanty *modicum* too much:
 For when, low-stooping at the fountain's brink
 With hallow'd hands, he saw a peasant drink,
 Away, superfluous dish, I plainly see,
 The Cynic cry'd, I have no need of thee.

EPITAPHE DE REGNIER.

Faite par lui mesme.

J'AI vescu sans nul pensément,
 Me laissant aller doucement
 A la bonne loy naturelle;
 Et je m'estonne fort pourquoy
 La mort osa songer à moy,
 Qui ne songeay jamais en elle.

REGNIER'S EPITAPH,

Made by himself.

GAYLY I liv'd as ease and nature taught,
 And spent my little life without a
 thought;
 And am amaz'd thro' what capricious whim,
 Death thought of me, who never thought of
 him.

*A Sailor's EPITAPH in the Church-yard of
 Great Yarmouth, Norfolk.*

THOU' Boreas blow, and Neptune's waves
 Have toss'd me to and fro,
 By God's decree, you plainly see,
 I'm harbour'd here below;
 Where I must at anchor lie,
 With many of our fleet,
 But once again we must set sail,
 Our adm'ral CHRIST to meet.

*An EPITAPH, to the Memory of an honest
 Sailor.*

WHether sailor or not, for a moment
 avast!
 Poor Tom's mizen top-sail is laid to the mast.
 He'll never turn out, or more heave the lead;
 He's now *all a-back*, nor will sails shoot a-head,
 He ever was brisk, and tho' now gone to wreck,
 When he hears the *last whistle* he'll jump
 upon deck.

Conclusion of the Monthly Chronologer from our Dec. Mag.

IRELAND.

DUBLIN, Nov. 25. This day a com-
 mittee of the House of Commons en-
 tered on the business of supplies, in which the
 most material passage was the debate "by
 what authority Jeremiah Dyson, esq; and

his two sons, are pensioned on the Irish list
 to the amount of 1000l. per annum?" This
 is a very deep-laid question, and is calculated
 purely to annihilate an assumed prerogative
 of the Crown, and by which the King
 claims, *jure coronæ*, to have the absolute
 disposal

disposal of all *surplus* monies arising from the creation of every new tax. The patriots alledge, that they do not entirely dispute against a fair and equitable disposal of such overplus money; but then they insist, the Crown has no right to grant such money in shameful pensions so long as there is any national debt subsisting. When such debt shall be discharged, they insist it is high time for the Crown to exert this assumed prerogative, and not before. We say *assumed*, because no such prerogative is acknowledged, or even claimed by the Crown, within the kingdom of Great Britain; and by the original compact between Henry the second and the several heads of the Irish nation it was established for ever, "that Ireland should be governed by the same mild laws as England." It was urged, that this pension was very burthensome, as it was one thousand pounds a year; it was unnecessary, as it was bestowed on one who had never been of any service to Ireland. The Provost expatiated very largely in Mr. Dyson's praise, and said, that, whenever any motion was made in the British House of Commons relative to Ireland, he always took the side of the question which was for the advantage of it. This eulogium was replied to by Sir William Mayne, and taken to pieces. At length the question was put, and on a division it was carried against the pension by a majority of one, the numbers being for the pension 105, against it 106.

Resolved, that the pension granted to Jeremiah Dyson, esq; and his three sons, is an unnecessary charge upon the establishment of Ireland, and ought not to be provided for.

Ordered, that the said pension be struck off the list of pensioners upon the establishment of Ireland.

When the numbers were declared, there was a great plaudit both in the house and in the gallery.

The Irish Parliament have no positive right to strike off such pensions as are granted by the King's letter on the revenues of that nation; but they have a power nearly equal, which is, to raise no more money than they think proper; and this they will certainly exercise on the present occasion.

When the House of Commons of that kingdom waited on the Lord Lieutenant with their resolutions, viz. "that seven commissioners have been sufficient for the collection of the revenue," (see p. 575) he said,

"Gentlemen, I think it my duty to inform his Majesty of the sense of the House of Commons, expressed in this resolution; and I think it incumbent upon me, upon this occasion, to acquaint you, that I have received his Majesty's letters for appointing certain commissioners therein mentioned, to the number of five, to be commissioners of excise, and certain other persons, to the

number of seven, to be commissioners of customs, pursuant to the several acts of parliament in this kingdom."

The resolution was carried by a majority of 46; and the motion, to wait upon the Lord Lieutenant with it, by a majority of 24.

Dublin, Nov. 29. This day our House of Commons being met, the report of the committee of ways and means was received, read, and agreed to. For the current service of the year and parliamentary grants many additional duties were to be laid on sundry importations; six pounds per tun on all Spanish and French wines; three pounds on all Portugal wine; and five pounds on all wines of other-country growth.

To pay the national debt a loan was necessary; and Mr. Flood moved, that the loan might be of 100,000*l.* and that the rest might be made up from savings and repayments. He was supported by Mr. Barry, Mr. Ponsonby, Mr. Hussey, Sir Lucius O'Brien, Sir William Mayne, &c. but was opposed by Sir George Macartney, Mr. Malone, Mr. Attorney-General, Mr. Solicitor-General, and Mr. Clements, the latter of whom declared that there was but 10,600*l.* remaining in the treasury.

At length the question being put, whether the loan should be 200,000*l.* or 100,000*l.* it passed for the former on a division, 126 being for the larger, and 96 for the lesser sum.

A committee was then appointed to prepare the money-bill; and the house adjourned to monday.

The court-party's intention of introducing a land-tax in Ireland is looked upon by the opposite party, &c. as totally inconsistent with the interests of this country. In consequence of which, the counties of Cork, Clare, Antrim, Sligo, Meath, Waterford, &c. have addressed their constituents to oppose any bill which may be brought into parliament tending to levy a land-tax in this country.

Dec. 10. This day the poll for a member for this city, in the room of the late Dr. Lucas, concluded, when the poll stood as follows, for Dr. Clement 1521, for Alderman Geale 1079; whereupon Dr. Clement was declared duly elected, and was chaired to the parliament-house, preceded by several corporations in their proper regalia, with a grand band of musick, where he took his seat.

Dec. 11. This day, according to order, the motion respecting the appointment of a new board of accounts was brought on. The debates were long, in the course of which it was proved, by the patriotick party, that the sole use of such a board would be to increase the number of the court-party; that the expence of such an establishment would be nine thousand a year; and that the business could be done as well by a couple of honest

honest clerks. Sir William Mayne offered to serve as one of the commissioners without any emolument. Upon the question how-ever being put, the court-party carried by a majority of five, the numbers being, for the board 124, against it 119. The success of administration in this affair was owing to many of the friends of their country being ill, and unable to attend. Counsellor Fitzgibbons, after speaking for a considerable time against the measure, was taken ill, and obliged to retire. The debates lasted twelve hours.

MARRIAGES.

Oct. 27. JOSEPH Miller, Esq; to Mrs. Kelly—Thomas Jones, Esq; to Miss Hannah Morgan—30. Peter Syms, Esq; to Miss Susannah Blunt—Joseph Collings, Esq; to Mrs. Martha Clarke—Sir Charles Price to Miss Child—Mr. Robinson, linen-draper, of Ely, to Miss Mackworth.

Nov. 3. John Jackson, Esq; to Miss Jane Griffith—Edward Duke, Esq; to Miss Fanny Field—Mr. David Reignier, to Miss Jenny Monter—4. Thomas Davidson, Esq; to Miss Mary Northey—William Brander, Esq; to Miss Penelope Warren—5. Mr. Lundin, Cabinet-maker, to Miss Mary Ford—James Mackenzie, Esq; to Miss Betsey Blachford—7. James Corbet, Esq; to Miss Maria Avery—8. Thomas Sanders, Esq; to Miss Mary Waters—10. Mr. Brettell, a Brazier, to Miss Hallet—The Rev. Mr. Mangey, to Miss Cooper—William Wharton, Esq; to Miss Amelia Young—Thomas Wilson, Esq; to Miss Elizabeth Chater—13. Jacob Talmage, Merchant, to Miss Elizabeth Bennet—William Griffin, Esq; to Miss Mary Willoughby—George Boddington, Esq; to Miss Francis Sheene—Andrew Hacket, Esq; to Miss Beynon—Groves Wheeler, Esq; to Miss Browning—William Mainwaring, Esq; to Miss Frances Stone—George Elliot, Esq; to Miss Hester Thompson—Thomas Cooper, Esq; to Miss Hayley—Davenport, Esq; to Mrs. Arabella Williams—Mr. Lane, Russia Merchant, to Miss Andrews—The Rev. Mr. Par, to Miss Marsingale—Edward Warner, Esq; to Miss Hannah Ward—William Martin, Esq; to Miss Margaret Arnold—Thomas Atkins, Esq; to Miss Henrietta Smith—22. George Doughty, Esq; to Miss Ridden—William Dixon, Esq; to Miss Amelia Thomas—Mr. Thomas Speary, Jeweller, to Miss Rotheram—Thomas Osborne, Esq; to Miss Groves—Mr. Roberts, Haberdasher, to Miss C. Heard—25. John Ravel Frye, Esq; to Miss Pott.

ECCLESIASTICAL PREFERMENTS.

THE Rev. Watkin Knight, to the rectory of Llanmadocke, in Glamorgan-shire—The Rev. John Buckner, to the rectory of Southwick in Suffex—The Rev.

Charles Moore, to the vicarage of Westhonthley in Suffex—The Rev. Mr. Collier, fellow of Trinity-college, Professor of Hebrew in the university of Cambridge—The Rev. Gervas Holmes, M. A. to the vicarage of Melton-Parva in Norfolk—The Rev. Charles Ray, B. A. to the chapel of Harleston in Norfolk—The Rev. Edward White, to the rectory of Thrigby in Norfolk—The Rev. Robert Richardson, D.D. to the rectory of Anstock in the county of Bucks, and diocese of Lincoln, with the rectory of Walton in the county of Hertford, and diocese aforesaid—Richard Chandler, B. A. to the rectory of Wardley in the county of Leicester, and diocese of Lincoln—The Rev. Robert Strong, B. A. to the vicarage of Southby in the diocese of Lincoln—The Rev. Henry Whitfield, to the rectory of Wexham St. Mary in Bucks—The Rev. Joshua Worth, M. A. to the rectory of King's Bickington, together with the rectory of Chagford, both in Devonshire—The Rev. Mr. Mark Burn, to the vicarage of Gayton in Norfolk—The Rev. Dr. Brown, Master of Pembroke-hall, to be Vice-chancellor of Cambridge—The Rev. William Baynes, B. A. to the vicarages of Fenton and Sherburn—The Rev. Thomas Ingram, B. A. to the vicarage of Hamden in the county and diocese of York—The Rev. George Chambers, M. A. to the vicarage of Webby in the county and diocese of York—The Rev. William Cayley, M. A. to the vicarage of Radston in the county and diocese of York—The Rev. Dr. Hurdis, to the living of Ampport in Hants—The Rev. Mr. Hurdis, (son of the above gentleman) to the living of Bargham in Suffex—The Rev. Mr. Weston, B. D. to the living of Witney in Oxfordshire—The Rev. Mr. Mulso, to Meonstoke in Hampshire—The Rev. Mr. Baker, to Bishopstoke—The Rev. Henry Richards, to the rectory of St. Ebb in Oxford—The Rev. Mr. Whitfield, M. A. master of the grammar-school at Sevenoaks in Kent—The Rev. Mr. Dovey, of Farmtot, to the living of Quart, near Bridgenorth, in Shropshire—The Rev. Mr. Bennet, lecturer of St. John the Evangelist, Westminster.

PROMOTIONS, Civil and Military.

Amber Gascoigne, Esq; one of the Lords Commissioners for Trade and Plantations—Frank Capell, Esq; one of his Majesty's band of Gentlemen Pensioners—Lord Viscount Bulkley, of Ireland, Chamberlain of the counties of Anglesea, Carmarthenshire, and Merionethshire, in the principality of Wales—Alexander Udne, Thomas Lockhart, George Brown, and Gilbert Lawrie, Esqrs. together with Thomas Wharton, Esq. Commissioners of Excise in Scotland.—Robert Campbell, Esq; Receiver-General, and Cashier, of his Majesty's customs of Scotland.—William Mure, Esq; Receiver-General of Jamaica.

FOREIGN AFFAIRS.
HOLLAND.

HAGUE, Nov. 29. Their High Mightinesses, on account of the dearth of provisions, have forbidden, under severe penalties, the exportation of potatoes from their territories for the space of one year.

Hague, Nov. 29. At a time when we flattered ourselves that the mortality among the horned cattle was in a manner at an end within the district of the United Provinces, it is said to have broken out afresh in some parts of South-Holland. According to some very accurate and authentic lists that have been published, it appears that, from the 1st of April 1769 to the last of October 1771, there have died in the Provinces of North and South Holland 272,177 head of cattle. It likewise appears, that within the same time and districts 65,666 have been cured of the distemper.

GERMANY.

Vienna, Nov. 23. The Emperor, in his late journey to Bohemia and Moravia, has adopted a very interesting scheme, which is that of abolishing the servitude which subsists in those countries where the farmers possess nothing of their own, and can consequently do nothing in favour of their children. Several other advantages are expected from his Imperial Majesty's travels, during which he found means to familiarize and ingratiate himself in such a manner with the inhabitants, as enabled him to make many discoveries which are kept as a secret from Princes by those about them.

ITALY.

Extract of a letter from an English officer in the service of the Empress of Russia, dated Lazaretto, Leghorn, Nov. 11, 1771.

"His Royal Highness the Duke of Gloucester is so well recovered from his late dangerous illness as to be able to take the air every day. As soon as he arrived here, on the 30th of last month, in a man of war from the Levant, his Highness sent immediately to compliment our lieutenant-general count Theodore Orlow on his arrival, and on Sunday last honoured his Excellency with a visit. His Highness came in a chariot with lady Dick, attended by col. Rainsford, major Haywood, Sir John Dick, the captains Balfour and Jarvis, and Mr. Rutterford, the Russian agent in this port. His Highness conversed a considerable time with his Excellency count Orlow, and seemed greatly delighted with the appearance of the Russian officers. Several antiquities, brought from different islands in the Archipelago, were shewn to his Highness, which he seemed pleased at the sight of. Afterward count Orlow caused a fine Barbary horse to be exercised before his Highness, which he greatly admired. This creature was designed by a Pacha as a present to the Grand Signor, and was taken by one of the Russian ships in a vessel bound for Constanti-

nople. After his Royal Highness was gone, his Excellency count Orlow sent him a letter, desiring his acceptance of the horse, which his Highness graciously received."

B-NK-PTS.

Joseph Lawrence, and Thomas Harrison, of White horse-yard, Drury-lane, woollen-draper.
Richard Spier, of Lombard-street, cordwainer.
Jacob Morcira, and Haim Moreira, of Queen's row, St. Matthew, Bethnal-green, merchants and partners.
Roger Shakespeare and Elizabeth Tharratt, of Bagshot, in Surry, dealers in wine and partners.
David Campbell, and Edmund Clegg, of Manchester, silk-manufacturers and partners.
Morgan Bevan, of Swansea, in Glamorganshire, Bookfeller.
Jonathan William Stackhouse, of Bethnal-green, Brewer.
Charles Marshall, of Sherbourne-lane, London, Merchant.
Matthias Peter Dupont, of Fleet-market, London, Hofer.
John Horsford, of St. George's, Middlesex, Apothecary.
James Lowe, of Liverpool, dealer.
Phineas Da Fonseca, and Abraham Benjamin, of Beer-lane, London, druggists, dyers, and co-partners.
Miles Nightingale, of Fore street, London, dry-falter.
James Armstrong, and John Armstrong, of Carlisle, partners and dealers.
Hugh Dalton, of Deal, in Kent, tea-dealer.
Samuel Noah, of Great Ayliffe-street, Goodman's Fields, merchant.
Stephen Haines, of Bristol, Butcher.
John Rowler, of Bucklersbury, London, Ware-houseman.
Isaac Moor, of Woolwich, in Kent, cooper.
David Etherington, of North-Shields, in Northumberland, Brewer.
Oliver Green, of Birmingham, dealer in china.
Jacob Samuel, of Gravel lane, Houndsditch, merchant.
Mark Webb, of New River Hall, in St. Ann's, Limehouse, victualler and carpenter.
John Langrish, of Arundel, in Sussex, upholsterer.
Walter Bell, of Witham, in Essex, linen draper.
William Kaye, of Bartholomew lane, London, merchant.
Jacob Friedeberg, of Booker's Gardens, Leadenhall-street, London, Hardwareman.
Ralph Hanmer, of Liverpool, grocer.
Brian Dempsey, of Skircoat, in the parish of Halifax, Yorkshire, merchant.
William Johnson, of Coventry, butcher.
John Brown, and Richard Sambrook, of Manchester, dyers, and co-partners.
Robert Auchenclois, of St. George, Hanover-square, linen-draper.
Thomas Mazzingham, of Dover-street, Piccadilly, dealer in wines.
James Darley, of Snow hill, London, Oilman.
James Bunn, the younger, of Northwaltham, in Norfolk, Money-scrivener.
Richard Thompson, of Leeds, in Yorkshire, mercer and linen draper.
William Anderson, of St. Paul's Church yard, London, Bookfeller.
John Maydwell, of London, Dryfalter.
Samuel Eate, of Hounslow, in Middlesex, but now of Egham, in Surry, innholder and dealer in horses.
Edward Loxham, of Liverpool, upholsterer.
Henry Nichol, of Leicester-street, St. Ann's, Soho, taylor.
William Bull, of Devizes, in Wilts. dealer in pigs.
John Willock, the younger, of Flixton, in Lancashire, cornfactor.
Josiah Collins, of St. Mary, Islington, Middlesex, bricklayer.
William Wrenford, of Fore street, London, grocer.
James Whitehead, of Wandsworth, in Surry, Callico-printer.
Samuel Green of Liverpool, merchant.
David Campbell, of Manchester, silk manufacturer and merchant.
Edmund Clegg, of Manchester, silk manufacturer and merchant.

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